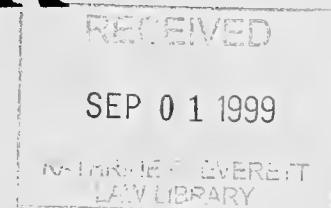


# *NORTH CAROLINA* *REGISTER*



**VOLUME 14 • ISSUE 5 • Pages 368 - 425**

**September 1, 1999**

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Environment and Natural Resources  
Geologists, Board of  
Health and Human Services  
Justice  
Landscape Architects  
Nursing Home Administrators, Board of  
Rules Review Commission  
Contested Case Decisions

## **PUBLISHED BY**

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*Fax (919) 733-3462*

For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

### **Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.**

Office of Administrative Hearings

Rules Division

Capehart-Crocker House

424 North Blount Street

Raleigh, North Carolina 27601-2817

(919) 733-2678

(919) 733-3462 FAX

contact: Molly Masich, Director APA Services  
Ruby Creech, Publications Coordinator

mmasich@oah.state.nc.us  
rcreech@oah.state.nc.us

### **Fiscal Notes & Economic Analysis**

Office of State Budget and Management

116 West Jones Street

Raleigh, North Carolina 27603-8005

(919) 733-7061

(919) 733-0640 FAX

contact: Warren Plonk, Economist III

wplonk@osbm.state.nc.us

### **Rule Review and Legal Issues**

Rules Review Commission

1307 Glenwood Ave., Suite 159

Raleigh, North Carolina 27605

(919) 733-2721

(919) 733-9415 FAX

contact: Joe DeLuca Jr., Staff Director Counsel  
Bobby Bryan, Staff Attorney

### **Legislative Process Concerning Rule-making**

Joint Legislative Administrative Procedure Oversight Committee

545 Legislative Office Building

300 North Salisbury Street

Raleigh, North Carolina 27611

(919) 733-2578

(919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison

marys@ms.ncga.state.nc.us

### **County and Municipality Government Questions or Notification**

NC Association of County Commissioners

215 North Dawson Street

Raleigh, North Carolina 27603

(919) 715-2893

contact: Jim Blackburn or Rebecca Troutman

NC League of Municipalities

215 North Dawson Street

Raleigh, North Carolina 27603

(919) 715-4000

contact: Paula Thomas

# NORTH CAROLINA REGISTER



Volume 14, Issue 5  
Pages 368 - 425

September 1, 1999

This issue contains documents officially filed through August 11, 1999.

Office of Administrative Hearings  
Rules Division  
424 North Blount Street (27601)  
PO Drawer 27447  
Raleigh, NC 27611-7447  
(919) 733-2678  
FAX (919) 733-3462

Julian Mann III, Director  
Camille Winston, Deputy Director  
Molly Masich, Director of APA Services  
Ruby Creech, Publications Coordinator  
Jean Shirley, Editorial Assistant  
Linda Dupree, Editorial Assistant  
Jessica Flowers, Editorial Assistant

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*The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.*

**TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE**

<b>TITLE</b>	<b>DEPARTMENT</b>	<b>LICENSING BOARDS</b>	<b>CHAPTER</b>
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
5	Correction	Barber Examiners	6
6	Council of State	Certified Public Accountant Examiners	8
7	Cultural Resources	Chiropractic Examiners	10
8	Elections	Employee Assistance Professionals	11
9	Governor	General Contractors	12
10	Health and Human Services	Cosmetic Art Examiners	14
11	Insurance	Dental Examiners	16
12	Justice	Dietetics/Nutrition	17
13	Labor	Electrical Contractors	18
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**NORTH CAROLINA REGISTER**

**Publication Schedule**  
*(April 1999 - January 2000)*

FILING DEADLINES		NOTICE OF RULE-MAKING PROCEEDINGS		NOTICE OF TEXT (either column A or column B)				TEMPORARY RULE	
volume and issue number	issue date	last day for filing	earliest register issue for publication of text	A. non-substantial economic impact		B. substantial economic impact		deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session
				earliest date for public hearing	end of required comment period	first legislative day of the next regular session	end of required comment period		
13:19	04/01/99	03/11/99	06/01/99	04/16/99	05/03/99	05/20/99	05/10/00	05/31/99	06/21/99
13:20	04/15/99	03/24/99	06/15/99	04/30/99	05/17/99	05/20/99	05/09/00	06/14/99	06/21/99
13:21	05/03/99	04/12/99	07/15/99	05/18/99	06/02/99	06/21/99	05/09/00	07/02/99	07/20/99
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14:13	01/04/00	12/09/99	03/15/00	01/19/00	02/13/00	02/21/00	05/09/00	03/06/00	03/20/00
14:14	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/14/00	03/20/00

270<sup>th</sup> day from issue date

05/09/00  
06/10/00  
01/10/00  
01/28/00  
02/08/00  
02/26/00  
03/11/00  
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04/10/00  
04/28/00  
05/12/00  
05/28/00  
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06/27/00  
07/11/00  
08/27/00

## EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

### GENERAL

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

- (1) temporary rules;
- (2) notices of rule-making proceedings;
- (3) text of proposed rules;
- (4) text of permanent rules approved by the Rules Review Commission;
- (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
- (6) Executive Orders of the Governor;
- (7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
- (8) orders of the Tax Review Board issued under G.S. 105-241.2; and
- (9) other information the Codifier of Rules determines to be helpful to the public.

### FILING DEADLINES

### NOTICE OF RULE-MAKING PROCEEDINGS

**ISSUE DATE:** The Register is published on the first and fifteenth of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.

**LAST DAY FOR FILING:** The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

**END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:** This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

**EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT:** The date of the next issue following the end of the comment period.

**EARLIEST DATE FOR PUBLIC HEARING:** The hearing date shall be at least 15 days after the date a notice of the hearing is published.

**END OF REQUIRED COMMENT PERIOD**

- (1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.
- (2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

**DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:** The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

**FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:** This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3. Effective date of rules.

### NOTICE OF TEXT

**This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.**

**NOTICE OF PUBLIC HEARING ON PROPOSED TEMPORARY RULES**

Notice is hereby given that the North Carolina Board of Agriculture will conduct a public hearing on September 21, 1999, at 10:00 a.m. at the Gov. James B. Hunt, Jr. Horse Complex at the State Fairgrounds, corner of Trinity Road and Youth Center Road, Raleigh, NC, on proposed temporary rules for mandatory testing of equines for equine infectious anemia (EIA).

**Background.** Pursuant to Section 13.6 of Session Law 1999-237, the Board of Agriculture is required, no later than October 1, 1999, to adopt rules to provide for the mandatory testing of horses and other equine for EIA prior to sale or assembly at public places. Following adoption of temporary rules, the Board will begin rule-making proceedings to adopt permanent rules.

**Summary.** The proposed rules:

- (1) would require all equine more than six months of age to be accompanied by proof of a negative EIA test when sold or brought to any public place. (Existing rules require the testing of horses imported into the state);
- (2) would permit the testing of equine at a market or sale and require the equine to be held pending test results;
- (3) would require equine testing positive for EIA to be either euthanized, branded and isolated or sold for slaughter;
- (4) would require quarantine and testing of equine that have been exposed to positive reactors; and
- (5) would require markets or sale operators to obtain prior approval before conducting equine sales.

Copies of the proposed rules may be obtained by calling the Veterinary Division of the Department of Agriculture and Consumer Services at (919) 733-7601.

**Comment Procedures.** Anyone may offer comments on the proposed temporary rules by appearing at the public hearing or by submitting written comments no later than September 17, 1999, to David S. McLeod, Secretary, North Carolina Board of Agriculture, PO Box 27647, Raleigh, NC 27611.

**TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

**CHAPTER 2 - ENVIRONMENTAL MANAGEMENT**

This is a notice of intent to adopt **temporary rules for protection of riparian buffers in the Tar-Pamlico River Basin**. The Department of Environment and Natural Resources plans to request that the NC Environmental Management Commission adopt such temporary rules to provide interim protection for riparian areas while permanent rules calling for the same protections are undergoing a full rule-making process through the EMC. Permanent rules to protect riparian buffers and control nonpoint sources of nutrients are scheduled for adoption by the EMC in December 1999, and would become effective August 1, 2000. A Notice of Text was published for these permanent rules in the August 2, 1999 edition of the NC Register, 14:3, pages 162-185.

Protection of riparian buffers would help minimize nonpoint source nutrient inputs to streams in the Tar-Pamlico River Basin. The temporary and permanent rules are proposed as part of the Basins Nutrient Sensitive Waters Strategy, a priority issue in the states Tar-Pamlico River Basinwide Water Quality Plan. Chapter 329, Session Laws 1999 (House Bill 1160) gives the EMC authority to adopt temporary rules in the Tar-Pamlico, Cape Fear, and Catawba River Basins to protect water quality standards as required to implement Basinwide Water Quality Plans for these Basins.

The purpose of this announcement is to encourage those interested in this rulemaking to provide oral or written comments on proposed **temporary rules** for riparian buffer protection. A copy of the rules was published in the August 2, 1999 NC Register, or can be obtained by contacting Marsha Byrd, Division of Water Quality, (919) 733-5083 ext. 558. Public hearings are being held on these and other proposed nonpoint source nutrient rules for the Basin on September 2<sup>nd</sup>, 1999 (see below). We encourage you to provide oral or written comments at the hearing if interested, or written comments separately.

Please submit comments to Rich Gannon, DENR, Division of Water Quality, Planning Branch, 1617 Mail Service Center, Raleigh, NC 27699-1617. Questions may be directed to Rich Gannon at (919) 733-5083 ext. 356, or [rich\\_gannon@h2o.enr.state.nc.us](mailto:rich_gannon@h2o.enr.state.nc.us).

**Public Hearing for Proposed Nonpoint Source Nutrient Rules for Tar-Pamlico River Basin**

**Thursday, September 2, 7:00 pm**

Nashville, NC

Nash County Agriculture Center Auditorium

Ag Center Drive

On the north side of U.S. 64 Business (Eastern Ave.)

Nash County Extension office: (252)459-9810

**A Notice of Rule-making Proceedings** is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

**TITLE 7 - DEPARTMENT OF CULTURAL RESOURCES****CHAPTER 4 - ARCHIVES AND HISTORY**

**Notice of Rule-making Proceedings** is hereby given by the North Carolina Department of Cultural Resources in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 7 NCAC 4S .0101-.0109. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 121-4(8),(9); 143B-10(j); 143B-62(2)d; 143B-71

**Statement of the Subject Matter:** These Rules address the purposes, operation, and services available from the Tryon Palace Historic Sites and Gardens in New Bern, North Carolina, and have not been updated since 1989. In particular, the fee schedule needs adjustment to place it in line with current levels.

**Reason for Proposed Action:** These proposed amendments are needed to accurately reflect the current administrative status of the Tryon Palace Historic Sites and Gardens and to meet state requirements for earned admission receipts for FY 1999-2000. Nearly all admission receipts are utilized to fund temporary minimum wage employees as guides, character interpreters, or crafts demonstrators. Since the last ticket price increase over 10 years ago, there have been substantial increases in the minimum wage. The current level of visitation appears to be sufficiently high to support this change and is in line with recent increases at Old Salem and other similar sites.

**Comment Procedures:** Written comments may be submitted to Boyd D. Cathey, Division of Archives and History, NC Department of Cultural Resources, 4614 Mail Service Center, 109 East Jones Street, Raleigh, NC 27699-4614.

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**TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES****CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT**

**Notice of Rule-making Proceedings** is hereby given by the Medical Care Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 10 NCAC 42B .1201, .1212-.1215, .1707, .1803, .2013-.2014, .2501-.2503; 42C .2005, .2012-.2014, .2207, .2214, .2501-.2506, .2703, .3401-.3402, .3701, .3703, .3801-.3810, .3901-.3903; 42D .1301-.1303, .1401-.1402, .1407, .1412-.1416, .1503, .1605, .1804, .1813, .1832-.1833, .1901-.1910, .2001-.2011, .2102. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 131D-2; 131D-4.3; 131D-4.5; 131D-4.6; 131D-8; 143B-165

**Statement of the Subject Matter:** Medication Administration and Storage; Behavioral Intervention Training; Staff Qualifications and Responsibilities for Medication Aides, Aide Supervisors, Management Staff; Staffing Levels; Management of Adult Care Homes; First Aid Training; Due Process and Appeal Rights for Resident Discharge or Transfer; Issuing and Renewing Licenses Based on Compliance History; Special Care Units for Residents with Alzheimer's Disease and Related Disorders and for Persons with Mental Health Disabilities; Resident Assessment Timeframe and Training; and Maximum Water Temperature Levels.

**Reason for Proposed Action:** Legislation (Senate Bill 10) resulting from the Department of Health and Human Services' Long Term Care Safety Initiative resulted in requirements for new, higher standards of care for adult care homes. These new standards are to be established in permanent rules to be adopted by the Medical Care Commission to address areas such as medication administration, behavioral intervention training, supervision of aides, discharge/transfer due process and appeal rights, issuing and renewing licenses based on compliance history, and special care units and their disclosure.

**Comment Procedures:** Written comments may be submitted to Doug Barrick, Division of Facility Services, Group Care Licensure Section, 2708 Mail Service Center, Raleigh, NC 27699-2708.

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**TITLE 15A - DEPARTMENT OF ENVIRONMENT**

**AND NATURAL RESOURCES**

**CHAPTER 13 - SOLID WASTE MANAGEMENT**

**N**otice of Rule-making Proceedings is hereby given by the ENR Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:**

15A NCAC 13A .0101-.0104, .0106, .0108, .0110, .0112-.0113, .0118. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-294(c), 150B-21.6

**Statement of the Subject Matter:**

15A NCAC 13A .0101 - **GENERAL** - Establishes the State agency which will administer the hazardous waste management program, makes State substitutions for federal agencies and incorporates into the rules certain publications.

15A NCAC 13A .0102 - **DEFINITIONS** - Defines the meaning of key words as used in the rules.

15A NCAC 13A .0103 - **PETITIONS** - PART 260 - Establishes procedures to petition for rule changes. Establishes freedom of information and confidential information.

15A NCAC 13A .0104 - **PUBLIC INFORMATION** - PART 2 - Establishes freedom of information and confidential information requests procedures.

15A NCAC 13A .0106 - **IDENTIFICATION AND LISTING OF HAZARDOUS WASTES** - PART 261 - Identifies characteristics of hazardous waste and lists certain hazardous wastes.

15A NCAC 13A .0108 - **STDs APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE** - PART 263 - Establishes standards which apply to transporters of hazardous waste.

15A NCAC 13A .0110 - **INTERIM STATUS STDs FOR OWNERS-OP OF HWTSD FACILITIES** - PART 265 - Establishes interim status standards for owners and operators of hazardous waste treatment, storage and disposal facilities.

15A NCAC 13A .0112 - **LAND DISPOSAL RESTRICTIONS** - PART 268 - Establishes land disposal restrictions.

15A NCAC 13A .0113 - **THE HAZARDOUS WASTE PERMIT PROGRAM** - PART 270 - Establishes permit application information requirements and permit procedures.

15A NCAC 13A .0118 - **STANDARDS FOR THE MANAGEMENT OF USED OIL** - Establishes standards for the management of used oil. These standards cover used oil generators, transporters, processors and refiners, burners and marketers.

**Reason for Proposed Action:**

15A NCAC 13A .0101 - To properly identify the Department; to properly identify definitions that are exempt in certain rules;

and to eliminate the Annual Report requirements as required by Section 27.10 of House Bill 53 of the Second Extra Session of the 1996 North Carolina Legislature.

15A NCAC 13A .0102 - All revisions are of technical nature.

15A NCAC 13A .0103 - Has been revised to accurately reflect to procedure that must be followed to Petition for Modification or Revocation of rules.

15A NCAC 13A .0104 - Changes to .0104(a)(1) are to accurately reflect those Federal Regulations that are included in Subpart A. .0104(a)(2) has been revised to correct the address of the Division of Waste Management; .0104(a)(2) has been deleted. The definitions that were in this Subparagraph are included elsewhere in this Section or are no longer required. .0104(b) has been revised to properly exclude those Federal Regulations that North Carolina is not adopting.

15A NCAC 13A .0106 - This Paragraph has been expanded to include new EPA requirements. These requirements provide an exemption from hazardous waste regulations for certain comparable/syngas fuels.

15A NCAC 13A .0108 - The revisions to this rule do two things: Sets a time frame in which a non-resolved manifest discrepancy must be reported to the Department; and clearly defines what is considered a manifest discrepancy.

15A NCAC 13A .0110 - Adds 40 CFR 265.121 "Post-closure requirements for facilities that obtain enforceable documents in lieu of post-closure permits" to Subpart G. "Closure and Post-Closure."

15A NCAC 13A .0112 - The proposed amendment will add 40 CFR 268.49 to (Subpart D), "Treatment Standards", to provide alternative land disposal treatment standards for contaminated soil.

15A NCAC 13A .0113 - These are technical corrections.

15A NCAC 13A .0118 - These are technical corrections.

**Comment Procedures:** Comments may be submitted to Harold McCarthy, NC Hazardous Waste Section, 401 Oberlin Road, Suite 150, Raleigh, NC 27605-1350, telephone number 733-2178, ext. 247.

\*\*\*\*\*

**CHAPTER 18 - ENVIRONMENTAL HEALTH**

**N**otice of Rule-making Proceedings is hereby given by the DENR/Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:**

15A NCAC 18C .1538. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-315

**Statement of the Subject Matter:** *National Primary Drinking Water Regulations: Consumer Confidence Reports. The Consumer Confidence Reports Rule requires community water systems to prepare and distribute water quality reports to their customers.*

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## **CHAPTER 18 - ENVIRONMENTAL HEALTH**

**Reason for Proposed Action:** *In order to meet the conditions of the primacy agreement with the US Environmental Protection Agency, North Carolina must adopt rules that are no less stringent than the Federal Regulations as required in Section 1414(c)(4) of the Safe Drinking Water Act. The National Primary Drinking Water Regulations: Consumer Confidence Reports Rule was promulgated on August 19, 1998.*

**Comment Procedures:** *Send comments to Martha Moore, Public Water Supply Section, 1634 Mail Service Center, Raleigh, NC 27699-1634 or phone (919) 715-3243.*

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## **CHAPTER 18 - ENVIRONMENTAL HEALTH**

**Notice of Rule-making Proceedings** is hereby given by the DENR/Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 18C .2008. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-315

**Statement of the Subject Matter:** *National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment. Waterborne disease has been associated with a high level of particles passing through a water treatment plant, and this Rule strengthens the effectiveness and reliability of physical removal for particulate matter and microorganisms in general. This Rule optimizes treatment reliability and enhances physical removal efficiencies.*

**Reason for Proposed Action:** *In order to meet the conditions of the primacy agreement with the US Environmental Protection Agency, North Carolina must adopt rules that are no less stringent than the Federal Regulations as required in Section 1413 of the Safe Drinking Water Act. The National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Final Rule was promulgated on December 16, 1998 as required under 1412(b)(2)(c).*

**Comment Procedures:** *Send comments to Tim Boomhower, Public Water Supply Section, 1634 Mail Service Center, Raleigh, NC 27699-1634 or phone (919) 715-3221.*

**Notice of Rule-making Proceedings** is hereby given by the DENR/Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 18C .2008. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-315

**Statement of the Subject Matter:** *National Primary Drinking Water Regulations: Disinfectants and Disinfection Byproducts. This Rule provides protection from microbial pathogens while simultaneously ensuring decreasing health risks from disinfection byproducts. Several disinfection byproducts have been shown to cause cancer in laboratory animals. Levels of disinfection and disinfection byproducts in drinking water will be reduced.*

**Reason for Proposed Action:** *In order to meet the conditions of the primacy agreement with the US Environmental Protection Agency, North Carolina must adopt rules that are no less stringent than the Federal Regulations as required in Section 1413 of the Safe Drinking Water Act. The National Primary Drinking Water Regulations: Disinfectants and Disinfection Final Rule was promulgated on December 16, 1998 as required under 1412(b)(2)(c).*

**Comment Procedures:** *Send comments to Hornlean Chen, Public Water Supply Section, 1634 Mail Service Center, Raleigh, NC 27699-1634 or phone (919) 715-3221.*

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## **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

### **CHAPTER 21 - BOARD OF GEOLOGISTS**

**Notice of Rule-making Proceedings** is hereby given by the NC Board for Licensing of Geologists in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 21 NCAC 21 .0501, 0514-.0515, .1101-.1102. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** *G.S. 89E*

**Statement of the Subject Matter:** *To include Code of Professional Conduct as rules; to amend present rules to conform to changes to the Geologist Act as amended by the 1999 General Assembly.*

**Reason for Proposed Action:** *The Code of Professional Conduct was adopted following initial organization of the Board, this change includes them as part of the Board rules. The changes made by the 1999 General Assembly affected disciplinary changes and additions in the Geology Licensing Act.*

**Comment Procedures:** *Comments may be directed to Robert Upton at PO Box 41225, Raleigh, NC 27629.*

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#### **CHAPTER 26 - LICENSING BOARD OF LANDSCAPE ARCHITECTS**

**N**otice of Rule-making Proceedings is hereby given by the NC Board of Landscape Architecture in accordance with

*G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

**Citation to Existing Rules Affected by this Rule-Making:** *21 NCAC 26 .0101, .0104-.0105. Other rules may be proposed in the course of the rule-making process.*

**Authority for the rule-making:** *G.S. 89A*

**Statement of the Subject Matter:** *Mailing address of Board, Temporary Licenses, and Fees for examination and late penalties.*

**Reason for Proposed Action:** *The 1999 Session of the General Assembly deleted the provision of the act that provides for temporary licenses. Also the General Assembly changed how examination fees may be charged. The mail address of the Board has changed also.*

**Comment Procedures:** *Comments may be directed to Robert Upton at PO Box 41225, Raleigh, NC 27629.*

*This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.*

## **TITLE 2 - DEPARTMENT OF AGRICULTURE**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Pesticide Board intends to amend the rules cited as 2 NCAC 9L .0502, .1201. Notice of Rule-making Proceedings was published in the Register on July 1, 1999.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): Any person may request a public hearing on the proposed rules by submitting a request in writing no later than September 16, 1999, to James W. Burnette, Jr., Secretary, NC Pesticide Board, c/o Food and Drug Protection Division, Pesticide Section, NC Department of Agriculture and Consumer Services, PO Box 27647, Raleigh, NC 27611.

**Reason for Proposed Action:** This rule-making proceeding was initiated as a result of a petition submitted by Dr. John A Todhunter, SRS International Corporation, on behalf of Grant Laboratories, Inc.

**Comment Procedures:** Written comments may be submitted no later than October 1, 1999 to James W. Burnette, Jr., Secretary, NC Pesticide Board, c/o Food and Drug Protection Division, Pesticide Section, NC Department of Agriculture and Consumer Services, PO Box 27647, Raleigh, NC 27611.

### **Fiscal Impact**

State	Local	Sub.	None
			✓

## **CHAPTER 9 - FOOD AND DRUG PROTECTION DIVISION**

### **SUBCHAPTER 9L - PESTICIDE SECTION**

#### **SECTION .0500 - PESTICIDE LICENSES**

##### **.0502 LIST OF RESTRICTED USE PESTICIDES**

For the purpose of this Regulation a restricted use pesticide is:

- (1) any pesticide required by the environmental protection agency to bear the designation on its labeling "Restricted Use Pesticide";
- (2) arsenic trioxide, all formulations of which must be sold and/or purchased in accordance with additional regulations (2 NCAC 9L .1200) adopted by the North

Carolina Pesticide Board; except for federally registered ant control products containing arsenic trioxide (solid formulation manufactured in a sealed metal container only) for:  
(a) domestic outdoor - domestic dwellings, or  
(b) domestic indoor - domestic dwellings;  
(3) any pesticide approved under 2 NCAC 9L .0318.

*Authority G.S. 143-440(a),(b); 143-441; 143-458.*

## **SECTION .1200 - ARSENIC TRIOXIDE**

### **.1201 RESTRICTIONS ON USE AND STORAGE**

All pesticide formulations containing the active ingredient arsenic trioxide shall not be used or stored inside or in the immediate vicinity of any building used as a human dwelling; except for federally registered ant control products containing arsenic trioxide (solid formulation manufactured in a sealed metal container only) for:

- (1) domestic outdoor - domestic dwellings, or
- (2) domestic indoor - domestic dwellings.

*Authority G.S. 143-440(b); 143-441.*

## **TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Division of Facility Services intends to adopt the rules cited as 10 NCAC 3S .1101, .1201-.1207, .1301-.1303, .1401, .1501, .1601, .1701-.1702, .1801-.1806, .1901-.1903, .2001-.2002, .2101-.2106; and repeal the rules cited as 10 NCAC 3S .0108-.0109, .0207-.0211, .0213-.0214, .0307-.0308, .0407-.0408, .0506-.0511, .0614-.0619, .0706-.0707, .0806-.0808, .0901-.0904, .1001-.1006. Notice of Rule-making Proceedings was published in the Register on June 15, 1998.

**Proposed Effective Date:** July 1, 2000

**A Public Hearing** will be conducted at 2:00 p.m. on October 4, 1999 at the Council Building, Room 201, 701 Barbour Drive, Raleigh, NC.

**Reason for Proposed Action:** To repeal obsolete rules and adopt new ones that reflect current standards of practice in the area of cardiac rehabilitation.

**Comment Procedures:** Anyone wishing to comment on these

proposed rules should contact Jackie Sheppard, APA Coordinator, Division of Facility Services, 701 Barbour Drive, Raleigh, NC 27603, (919) 733-2342. Written comments must be received no later than the date and time of the hearing.

**Fiscal Impact**

State    Local Sub.    None  
                          ✓

**CHAPTER 3 - FACILITY SERVICES**

**SUBCHAPTER 3S - CERTIFICATION OF CARDIAC REHABILITATION PROGRAMS**

**SECTION .0100 - GENERAL INFORMATION:  
ADMINISTRATION**

**.0108 DEFINITIONS**

The following definitions will apply throughout this Subchapter:

- (1) "Cardiac Rehabilitation Program" means a program certified under Article 8 of Chapter 131E of the North Carolina General Statutes for the delivery of cardiac rehabilitation services to clients, in environments other than hospitals and includes, but shall not be limited to: coordinated, physician-directed, individualized programs of therapeutic activity and lifestyle modifications which are designed to assist the cardiac patient in attaining the highest rehabilitative potential;
- (2) "Certification" means the issuance of a certificate by the Department upon determination that cardiac rehabilitation services offered at a given program site are in substantial compliance with all Cardiac Rehabilitation Program rules contained in this Subchapter and the provisions of G.S. Chapter 131E, Article 8;
- (3) "Department" means the Department of Human Resources;
- (4) "Program Director" means the person who supervises the staff of a certified Cardiac Rehabilitation Program and directs all facets of the program;
- (5) "Site" means the facility in which the Cardiac Rehabilitation Program is held;
- (6) "Cardiac therapy session" means that period of time that is staff directed and consists of specific warm-up, stimulus phase, and cool-down activities;
- (7) Regular follow-up intervals - three, six, 12 months;
- (8) "Division" means the Division of Facility Services.

Authority G.S. 131E-169.

**.0109 POLICIES AND PROCEDURES**

The Program Director of each Cardiac Rehabilitation Program shall assure written policies and procedures which are available and implemented by the staff. These policies and procedures

shall cover at least the following areas:

- (1) admission of patients;
- (2) patient assessment; prescription and therapy;
- (3) patient follow-up;
- (4) patient discharge;
- (5) maintenance and retention of medical records;
- (6) orientation of all program personnel;
- (7) personnel records which include verification of credentials;
- (8) communication with patient's referral and personal physicians, if any;
- (9) procedures for recording and reviewing of all incidents and accidents;
- (10) confidentiality of medical record information;
- (11) emergency procedures.

Authority G.S. 131E-169.

**SECTION .0200 - CERTIFICATION**

**.0207 CERTIFICATION REQUIRED**

(a) For a cardiac rehabilitation program to be certified under G.S. Chapter 131E, Article 8, a cardiac rehabilitation program must be issued a certificate by the Department when the Division determines that the program substantially complies with the provisions of G.S. Chapter 131E, Article 8, and is in substantial compliance with the rules contained in this Subchapter.

(b) A certificate issued to a specific cardiac rehabilitation program by the Department is not transferrable or assignable, except with prior written approval of the Department. A currently valid certificate must also be posted in a conspicuous place on the certified premises.

(c) A new certification shall be required when there is a change of either the program director or medical director. The necessity and type of review shall be at the discretion of the Division.

Authority G.S. 131E-169.

**.0208 TYPES OF CERTIFICATION**

Two types of certification are issued to Cardiac Rehabilitation Programs. They are as follows:

- (1) Provisional Certification.
  - (a) If a new program is starting, the Program Director will prepare and submit a detailed application clearly describing the program's scope of services and the staff and their qualifications, and delineate facilities and the equipment to be utilized. There must be evidence that the staff has attended, prior to the commencement of the program, a training workshop on cardiac rehabilitation, scheduled by the Department and given by one of the currently certified programs or a combination of staff from several certified programs.

- (b) Provisional certification must occur prior to the starting date of the program. If the Department, upon review of an application and supporting documentation, determines that a cardiac rehabilitation program complies with G.S. Chapter 131E, Article 8 and the rules contained in this Subchapter, then a provisional certificate shall be issued by the Department without an on-site review being made.
- (c) A provisional certificate is also issued when a program is reviewed for recertification and does not comply with the rules contained in this Subchapter, when failure to comply does not endanger the health, safety, or welfare of patients being served by the program. Provisional certification will not exceed six months.
- (d) A provisional certification may be extended for up to three months when a new program begins and when extreme circumstances occur to restrict the development of the program. The program must apply in writing to the Division for an extension.
- (2) Full certification is granted when a program is found to be substantially in full compliance with the rules contained in this Subchapter and G.S. Chapter 131E, Article 8. A letter requesting a full certification will be submitted during the first three months of the program's operation.

Authority G.S. 131E-169.

#### **.0209 APPLICATION**

- (a) An application for certification shall be submitted to the Department prior to a certificate being issued.
- (b) An application shall be submitted prior to the occurrence of any of the following circumstances:
  - (1) Provisional certification of a new program;
  - (2) Change of premises (initial certification of new premises or addition of new site);
  - (3) Change of ownership (initial certification of new owner); program director or medical director; and
  - (4) Recertification.

Authority G.S. 131E-169.

#### **.0210 INSPECTION**

- (a) Any Cardiac Rehabilitation Program applying for certification shall be inspected by representatives of the Division prior to the issuance of a certificate.
- (b) Any Cardiac Rehabilitation Program certified by the Department may be inspected by authorized representatives of the Division at any time during the program's business hours. On-site inspections shall be conducted as necessary to certify compliance or continued compliance with certification requirements. Inspections may be unannounced. The purpose of any inspection will be explained or summarized with the

Program Director.

(c) The Program Director shall provide and make available to representatives of the Division records deemed necessary to demonstrate compliance with this Subchapter.

(d) Routine inspections shall be conducted by one or more review team consultants with specialities in areas to be evaluated.

(e) Following completion of an inspection, an exit conference shall be conducted with one or more representatives of the program's management. An oral summary of the findings shall be presented at the exit conference. The Division shall provide the Program Director with a written report of the findings within 20 working days following the inspection. The Program Director shall have ten working days from the receipt of the report to respond with a plan or report which describes the steps taken to remedy any observed deviations from certification rules contained in this Subchapter.

Authority G.S. 131E-169.

#### **.0211 REVIEW TEAM: REVIEW PROCESS**

(a) The review team may include persons from existing certified programs with specialities in program areas to be inspected, (e.g., physician, Program Director, exercise specialist or coordinator, dietitian or nutritionist, registered nurse, psychologist, and any other appropriate consultants). Person subject to occupational licensing (physician, psychiatrist, etc.) must have a current, valid North Carolina license or registration.

(b) The team of consultants will include staff from existing certified Cardiac Rehabilitation Programs. All persons assigned to review teams are authorized representatives of the Department when engaged in an inspection of a cardiac rehabilitation program scheduled in accordance with Rule .0210 of this Subchapter.

(c) If the service of a physician reviewer cannot be obtained to participate in a program review, the Division review coordinator will make appropriate adjustments in review team composition.

(d) The review team will observe the program in operation and interview staff members to assess the operation of the program.

(e) Each review consultant will submit their working copy of the review form to the review coordinator at the completion of the review. The review coordinator will summarize the findings and report in writing to the program within 20 working days.

Authority G.S. 131E-169.

#### **.0213 ADVERSE ACTION**

If a program is found in significant noncompliance with the rules contained in this Subchapter and G.S. 131E, Article 8, the Division shall either issue a provisional certification, deny a request for full certification, suspend a program's certification, or revoke the program's certification. Compliance failure which jeopardizes the health, safety and welfare of any patient, and remains uncorrected as specified by the Division, may be sufficient cause for the denial or revocation of certification.

Authority G.S. 131E-169.

**.0214 PROCEDURE FOR APPEAL**

A Cardiac Rehabilitation Program may appeal any decision of the Division to deny, revoke, suspend, or amend a certificate by making such an appeal in accordance with G.S. 150B and 10 NCAC 1B .0200.

Authority G.S. 131E-169.

**SECTION .0300 - PERSONNEL**

**.0307 COMPOSITION OF STAFF**

The following personnel must be on the staff of a certified Cardiac Rehabilitation Program. The program staff must include a program director, medical director, dietitian or nutritionist, psychologist or psychiatrist, vocational rehabilitation counselor, exercise specialist/coordinate and patient educator. One staff member shall not have primary responsibility for more than two staff positions.

(1) Staff Positions:

- (a) Program Director serves as the administrator of the certified program, supervises the staff and directs all facets of the total program.
- (b) Medical Director is the consultant on all medical aspects of the program and is responsible for the medical supervision of all testing, treatments, prescription and therapy programs of patients in addition to developing emergency procedures and attending to the equipment, medication, and adequacy of personnel, including the physicians. This person is also the liaison with the medical community.
- (c) Exercise specialist/coordinate is responsible for designing and supervising the exercise programs in consultation with the medical director. Duties also include implementation of the exercise prescription. Daily heart rate, attendance records and other information are collected and maintained on a regular basis by this staff member.
- (d) Psychologist or psychiatrist analyzes the psychological needs of the patients and counsels or refers patients for treatment. The relaxation program is either led by the psychologist or psychiatrist, or the psychologist or psychiatrist has provided in-service training for other staff to carry it out. The psychologist or psychiatrist also provides consultation to the staff members about suggested ways of dealing with emotional and psychological adjustments of the patients.
- (e) Dietitian or nutritionist obtains diet histories, analyzes patient diets, and counsels patients and other persons designated by the patient on

diet modification.

(f) Vocational rehabilitation counselor screens the program patients using a vocational questionnaire to determine those who may be eligible for and interested in the services of the North Carolina Division of Vocational Rehabilitation Services (DVRS). The counselor develops the vocational assessment, prescription, and intervention strategies, and provides counseling and other services as appropriate. All services provided must be necessary to achieve the vocational objectives of patients who become clients of DVRS. The counselor also attends staff meetings in which DVRS clients are to be discussed, counsels and provides follow-up to clients at the program, and participates in other program activities.

(g)

Patient educator organizes the educational aspects of the program, including educational materials such as handouts, brochures, and newsletters. The patient educator is also responsible for the coordination of the education lectures, mini-sessions, patient counseling, and feedback sessions.

(2) Additional Roles:

- (a) Exercise technologist works under the direction of the medical director and is responsible for the administration of the graded exercise tests, including the operation of the treadmill, electrocardiograph (EKG), oscilloscope, and other laboratory tests.
- (b) Attending physician shall be on-site and available throughout the therapy including the specific warm-up, stimulus and cool-down phases.
- (c) Registered nurse serves as teacher, acts as liaison person to other disciplines, assists with medical emergencies, maintains emergency equipment, helps to assess, plan and evaluate interdisciplinary base plan of care, and maintains vital sign records and symptomatology.

Authority G.S. 131E-169.

**.0308 MINIMAL EDUCATIONAL STANDARDS: STAFF POSITIONS/ADDITIONAL ROLES**

(a) Staff Positions:

- (1) The Program Director of a certified Cardiac Rehabilitation Program must meet the requirements of either Subparagraph (A) or (B) of this Paragraph:
  - (A) be an ACSM (American College of Sports Medicine) certified program director or an ACSM certified exercise specialist, and be certified in basic cardiac life support; or
  - (B) have a bachelors, masters or doctorate degree

in nursing, exercise physiology, or another health profession, 800 hours of cardiac rehabilitation experience, and be certified in basic cardiac life support. Program Directors not meeting these requirements who were employed by the program prior to the December 1, 1989, effective date of these Rules may continue in their present position, and are encouraged to seek continuing education in appropriate subject matter.

(b) The medical director of a certified Cardiac Rehabilitation Program must meet the requirements of either Subparagraph (1) or (2) of this Paragraph:

- (1) have a medical degree, be licensed to practice medicine in North Carolina, be a board certified internist or cardiologist, and have experience in the medical supervision of Cardiac Rehabilitation Programs, or have recent experience in emergency patient care; or
- (2) have a medical degree, be licensed to practice medicine in North Carolina, have experience in electrocardiographic interpretation and in graded exercise testing, and be certified in basic cardiac life support.

(c) The exercise specialist or coordinator of a certified Cardiac Rehabilitation Program must meet the requirements of either Subparagraph (1) or (2) of this Paragraph:

- (1) be certified as an exercise specialist or program director by the American College of Sports Medicine, and be certified in basic cardiac life support; or
- (2) have a bachelor's degree or certification in a health field, have at least one year's previous experience in working with adult fitness and/or Cardiac Rehabilitation Programs, be certified in senior life saving (if a swimming program is offered), and be certified in basic cardiac life support, and supervised by the program director who has ACSM certification as an exercise specialist or program director. If the program does not have an ACSM certified exercise specialist or program director on staff, and significant weaknesses are identified in this program component, the program may be required by the Division to seek qualified consultation on an annual or semi-annual basis.

(d) The dietitian or nutritionist of a certified Cardiac Rehabilitation Program must meet the requirements of either Subparagraph (1) or (2) of this Paragraph:

- (1) be a dietitian registered by the American Dietetic Association, and be certified in basic cardiac life support; or
- (2) have a bachelor's or advanced degree in foods, nutrition, or foods and nutrition, and a one year internship in a hospital practicing therapeutic dietary counseling, and be certified in basic cardiac life support.

(e) The psychologist or psychiatrist of a certified Cardiac Rehabilitation Program must meet the requirements of either

Subparagraph (1) or (2) of this Paragraph:

- (1) be a licensed practicing psychologist in North Carolina (doctoral level) or a licensed psychological associate monitored and supervised by a licensed practicing psychologist, have a minimum of two years of acceptable and appropriate experience, and be certified in basic cardiac life support; or
- (2) be a board certified psychiatrist licensed to practice medicine in North Carolina, have a minimum of two years of acceptable and appropriate professional experience, and be certified in basic cardiac life support.

(f) The vocational rehabilitation counselor of a certified Cardiac Rehabilitation Program must be a rehabilitation counselor with a master's degree in rehabilitation counseling or a related field, or have a bachelor's degree and be appropriately qualified to provide vocational rehabilitation services. The vocational rehabilitation counselor must be certified in basic cardiac life support.

(g) The patient educator of a certified cardiac rehabilitation program must either have an R.N. degree or a bachelor's degree in a health field (nursing, health and sport science, physical therapy), have had basic coursework, training, and experience in patient education with an adult population, and be certified in basic cardiac life support.

(h) Additional Roles:

- (1) The exercise test technologist of a certified cardiac rehabilitation program must meet the requirements of either Subparagraph (A), (B), or (C) of this Paragraph:
  - (A) Be certified as an exercise test technologist by the American College of Sports Medicine, and be certified in basic cardiac life support; or
  - (B) Be a registered nurse or have a bachelor's degree in a health field, have a basic knowledge and experience in graded exercise testing and exercise electrocardiography, and be certified in basic cardiac life support; or
  - (C) If not certified as stated in Subparagraph (A) of this Paragraph or possessing a degree as stated in Subparagraph (B) of this Paragraph, the medical director must declare that the person has competency of training and/or experience, have basic knowledge and experience in graded exercise testing and exercise electrocardiography, and be certified in basic cardiac life support.
- (2) The attending physician of a certified cardiac rehabilitation program must have a medical degree, be licensed to practice in North Carolina, have competency to direct other staff in a medical emergency, and must be approved, in writing, by the medical director.
- (3) The registered nurse of a certified cardiac rehabilitation program must be licensed to practice professional nursing in North Carolina, have competency to assist other staff in a medical

emergency, be competent in basic EKG interpretations, have at least one year experience in cardiac rehabilitation or equivalent (i.e., coronary/critical care nurse), and be certified in basic cardiac life support.

Authority G.S. 131E-169.

## SECTION .0400 - PROGRAM ADMISSION CRITERIA: PATIENT ASSESSMENT

### .0407 ADMISSION CRITERIA

Patients entering a certified Cardiac Rehabilitation Program must have one or a combination of the following:

- (1) Myocardial infarction:
  - (a) A post-myocardial infarction patient may enter a program any time at the discretion of the medical director and referral from a personal physician.
  - (b) There must be adequate control of complications, i.e., angina, congestive heart failure, arrhythmias, etc., according to the medical director and the referring physician.
- (2) Angina pectoris: recent changes in medication for angina control are permissible at the discretion of the patient's personal physician.
- (3) Post-operative cardiovascular surgery or interventional procedures, i.e., CABG, PTCA, valvular, congenital or peripheral surgery:
  - (a) A post-operative cardiovascular surgery patient may enter a program at any time at the discretion of the medical director and referral from a personal physician.
  - (b) A post-operative valvular, congenital or peripheral obstructive surgery patient may be admitted with the admission date being at the discretion of the referring physician and medical director.
- (4) Hypertension: patients with low functional capacity or a specified need to maintain therapy may be admitted to the program.
- (5) Arrhythmias:
  - (a) Patients with serious arrhythmias and/or conduction defects may be admitted to the program.
  - (b) Pacemaker patients with any of the diagnoses contained in this Rule and/or decreasing functional capacity may be admitted to the program.
- (6) Other conditions which may be considered grounds for admission include, but are not limited to: cardiomyopathies, valvular heart disease, cardiac transplant, COPD, diabetes, and disabling renal disease. Appropriate assessment, prescriptive and therapeutic modifications must be documented.

Authority G.S. 131E-169.

### .0408 PATIENT ASSESSMENT

Upon admission to the Cardiac Rehabilitation Program each patient must have a medical record developed which includes written documentation of the disabling condition and an assessment. This assessment must include:

- (1) Medical Assessment:
  - (a) Cardiovascular evaluation as to present diagnosis, therapy and condition and a discharge summary of the patient's last hospitalization; or
  - (b) Statement by referring physicians as to present diagnosis, therapy and condition.
- (2) Laboratory Assessment:
  - (a) Resting 12-lead electrocardiogram;
  - (b) Graded exercise test with 12-lead electrocardiogram;
  - (c) Blood chemistry to include total cholesterol, high density lipoprotein (HDL), triglycerides, and glucose;
  - (d) Functional work capacity as determined by measured or predicted equivalents (METS);
  - (e) Pulmonary function studies, if indicated; and
  - (f) Height, weight, percent body fat, and ideal weight.
- (3) Dietary Assessment:
  - (a) Nutrition history containing socio-economic, medical, anthropometric, dietary and attitudinal information;
  - (b) Written three day diet record;
  - (c) Review of medical history and assessment, recent serum lipid analysis, and anthropometric analysis;
  - (d) Nutrition interview with patient and other persons designated by the patient; and
  - (e) Behavior survey considering frequency, motivation, location and impediments to eating.
- (4) Psychological Assessment:
  - (a) Psychological interview and questionnaire; and
  - (b) Screening for psychopathology and behavioral dimensions such as a state-trait anxiety, depression, and Type A behavioral pattern.
- (5) Vocational Assessment:
  - (a) Vocational questionnaire to determine current vocational status, description of physical requirements of job, working conditions and psychological demands as perceived by the patient; and
  - (b) Vocational questionnaire or interview to determine demographic and financial data, establish proper counselor/client relationship, complete agency documentation to assess eligibility for agency services, and to assess need for further diagnostic procedures for

those individuals who apply for vocational rehabilitation services.

Authority G.S. 131E-169.

## **SECTION .0500 - INDIVIDUAL CARDIAC PATIENT REHABILITATION PLAN**

### **.0506 TEAM COORDINATION AND STAFFINGS**

(a) A multi-disciplinary team approach is used to implement each patient's Cardiac Rehabilitation Program. This team brings together all of the disciplines involved to remediate cardiac risk factors and carry out therapy.

(b) On the basis of their assessments, the cardiac rehabilitation staff shall decide upon the most appropriate means of intervention for each patient. Within four weeks of entry into the program, a prescription shall be developed by each staff member.

(c) The team staffing report, at a minimum, shall include a coordinated therapeutic plan of exercise therapy, diet therapy, psychological services, and vocational rehabilitation counseling and services. This report must be sent to the patient's personal and referring physicians, if any, with a copy maintained in the medical record.

(d) All multi-disciplinary staff (exercise coordinator, psychologist, and nutritionist), will attend a minimum of one cardiac therapy session per week and one patient staffing per month. The vocational rehabilitation counselor assigned to the program shall attend at least those staffings at which VR clients are discussed.

Authority G.S. 131E-169.

### **.0507 CARDIAC THERAPY**

(a) Unless medically contraindicated, each individual's rehabilitation plan shall include:

- (1) Type of cardiac therapy: gymnasium (walk/jog) program, swimming (walk/swim), bicycle ergometry, arm ergometry, circuit training, or treadmill walking program;
- (2) Intensity: 60 to 85 percent of symptom-limited heart rate reserve;
- (3) Duration: at least 45 minutes duration with a minimum of 30 minutes at the stimulus phase and remaining time in warm-up/cool-down; and
- (4) Frequency: minimum of three non-consecutive days per week.

(b) At the discretion of the medical director, the patient may be monitored continuously or intermittently through the use of electrocardiography while performing the cardiac therapy described in Paragraph (a) of this Rule.

(c) There shall be an attending physician on-site and available before a cardiac therapy session begins with the specific warm-up, stimulus and cool-down phases. In the event that a physician is not available, the session shall be suspended or an educational program may be substituted for cardiac therapy.

(d) A staff to patient ratio in the cardiac therapy sessions shall

be at least 1:12 for all programs.

Authority G.S. 131E-169.

### **.0508 DIET THERAPY**

Each individual's program shall include the following dietary services:

- (1) Interpretation and feedback of nutrition assessment to patient and designated other person;
- (2) Patient and other designated person counseling on nutrition for good health, food selection and preparation, with prescription of a therapeutic diet if necessary;
- (3) Eating behavior modification when appropriate; and
- (4) Identification of a weight goal and weight reduction classes if necessary.

Authority G.S. 131E-169.

### **.0509 PSYCHOLOGICAL SERVICES**

Each individual's program shall include the following psychological services:

- (1) Interpretation and feedback of psychological assessment to the patient;
- (2) Recommendations concerning an appropriate plan of counseling or therapy (on-site or referral) which may include one or more of the following:
  - (a) individual or group therapy;
  - (b) stress management;
  - (c) relaxation training;
  - (d) smoking cessation; and
  - (e) behavior modification;
- (3) The psychologist shall personally conduct sessions, or instruct other staff to conduct sessions, so that relaxation or stress management is offered at least once a week.

Authority G.S. 131E-169.

### **.0510 VOCATIONAL REHABILITATION COUNSELING AND SERVICES**

Each individual who needs vocational rehabilitation services and who meets the North Carolina Division of Vocational Rehabilitation eligibility criteria shall have a program that includes:

- (1) vocational counseling, to include adequacy of functional capacity for vocational and avocational activities;
- (2) provision of vocational evaluation and vocational training for designated individuals;
- (3) job development and placement service for eligible clients;
- (4) intervention with employers, as needed, to facilitate client's return to employment; and
- (5) other vocational rehabilitation services as appropriate.

Authority G.S. 131E-169.

**.0511 REVIEW**

To ensure that the treatment prescribed in each individual's planned program is appropriate, formal interdisciplinary discussions on patient progress shall be conducted on a monthly basis.

Authority G.S. 131E-169.

**SECTION .0600 - PROGRESS EVALUATION AND FOLLOW-UP**

**.0614 PROGRESS EVALUATION AND FOLLOW-UP PROCEDURES**

Patient follow-up shall include:

- (1) Following the implementation of each cardiac patient's rehabilitation plan, routine monitoring of patient progress shall be accomplished. Changes to each patient's plan shall be made as appropriate, based upon evaluations;
- (2) Progress evaluation and other information pertaining to each patient's participation in the program shall be communicated with the staff;
- (3) Reports of progress shall be sent to referring and personal physicians, if any, at regular follow-up intervals, defined as three, six, and 12 months after entry. If the patient continues in the program after 12 months, the results of annual re-evaluations should also be reported to the referring physician;

Authority G.S. 131E-169.

**.0615 MEDICAL FOLLOW-UP**

Medical follow-up procedures shall include:

- (1) evaluation of patient progress in functional capacity through examination of graded exercise testing (GXT) data at regular follow-up intervals. If a GXT is not done, the record must contain documentation of the reason it was deferred;
- (2) consultation with professional staff regarding progress made by patients towards specified goals (e.g., functional capacity, smoking cessation, dietary modification, weight and lipid control, psychological status, vocational status);
- (3) consultation with staff regarding patient medications; and
- (4) consultation regarding alternate medical or surgical intervention (e.g., catheterization, surgery).

Authority G.S. 131E-169.

**.0616 CARDIAC THERAPY FOLLOW-UP**

Cardiac therapy follow-up procedures shall include:

- (1) monitoring of patient adherence to exercise prescription by systematic examination of patient records (intensity and frequency of cardiac therapy sessions) at monthly intervals, and documentation of

feedback to the patient;

- (2) periodic review of the exercise prescription for appropriate intensity and duration; and
- (3) consultation with medical director on exercise prescription changes when needed (i.e., at follow-up GXT's and change in medication).

Authority G.S. 131E-169.

**.0617 DIETARY FOLLOW-UP**

Dietary follow-up procedures shall include:

- (1) Patient records of weight at least weekly and as a component of stress test protocol at regular follow-up intervals;
- (2) Review of medical status results, as well as lipid body composition and dietary status results at regular follow-up intervals;
- (3) Referral and follow-up to individual or group diet program to facilitate achievement of dietary goals, especially weight reduction;
- (4) Periodic monitoring of the incorporation and maintenance of appropriate dietary modifications.

Authority G.S. 131E-169.

**.0618 PSYCHOLOGICAL FOLLOW-UP**

Psychological follow-up must include evaluations made at regular follow-up intervals to determine the extent to which the patient has been able to maintain needed changes in lifestyle and coping skills. This may be accomplished by interview or psychometric assessment.

Authority G.S. 131E-169.

**.0619 VOCATIONAL REHABILITATION FOLLOW-UP**

Vocational rehabilitation follow-up on sponsored clients shall include:

- (1) Counseling sessions to discuss progress made in the rehabilitation plan;
- (2) Contact with clients (and employer, if needed) after return to work or exit from the program; and
- (3) Other appropriate vocational rehabilitation services.

Authority G.S. 131E-169.

**SECTION .0700 - PROGRAM DISCHARGE**

**.0706 CRITERIA FOR DISCHARGE**

Six to twelve months is usually necessary for the significant rehabilitation of most cardiac patients. Upon deliberation and at the discretion of the rehabilitation program staff, a patient may be discharged after satisfactory improvement or a minimum of six months participation if appropriate levels are met for functional capacity, medical status, physical fitness and education.

Authority G.S. 131E-169.

#### **.0707 DISCHARGE PLAN**

A final decision is made by the cardiac rehabilitation staff to discharge the patient from the program into another appropriate program (home, YMCA, Cardiac Fitness/Graduate, or other). This discharge should be documented and communicated to the referring and personal physicians, if any.

Authority G.S. 131E-169.

#### **SECTION .0800 - MEDICAL RECORDS**

##### **.0806 POLICIES AND PROCEDURES**

Each certified Cardiac Rehabilitation Program shall have policies and procedures which shall be implemented to provide for at least the following:

- (1) maintenance of a complete, accurate and organized medical record for each patient admitted to the program;
- (2) confidentiality of records;
- (3) accessibility or non-accessibility of medical record information to the patient, program staff and non-employees;
- (4) retention and disposition of records in accordance with the N.C. Statutes of Limitations, G.S. 1-15, 1-17.

Authority G.S. 131E-169.

##### **.0807 RECORD REVIEW CONSENT**

The record of each patient must contain a statement signed by the patient which reads as follows: "I understand that in accordance with N.C. General Statute 131E-170, I have the right to object in writing to a review of my record or record information by the Division of Facility Services representatives during state certification inspections and by an objection in writing I may prohibit the inspection or release of my records."

Authority G.S. 131E-169.

##### **.0808 CONTENT OF MEDICAL RECORD**

(a) All entries in the record shall be legible and signed by the individual making the entry with a signature, title, and date.

(b) The patient's name must be recorded on each page of the record.

(c) The medical record shall contain at least the following:

- (1) patient identification data;
- (2) medical history and hospital discharge summary;
- (3) graded exercise data;
- (4) record of oxygen uptake where appropriate;
- (5) records of blood chemistry analysis including lipid profile;
- (6) informed consent to participate in the programs;
- (7) reports of physical examinations;
- (8) progress notes and response to the therapeutic plan;
- (9) vocational questionnaire;

- (10) all records of each discipline's participation in the patient's therapeutic plan;
- (11) discharge plans providing for post-discharge program continuity and follow-up as appropriate; and
- (12) miscellaneous records desirable for program continuity.

Authority G.S. 131E-169.

#### **SECTION .0900 - EMERGENCIES**

##### **.0901 EMERGENCY PLAN**

A written plan shall be established which is sufficiently flexible to handle any emergencies. All areas of the premises pertinent to program operation must be included. The plan shall address the assignment of personnel and availability of equipment which is subject to use in an emergency. All patients shall be informed during orientation that staff supervision ceases when the patient exits the program "site".

Authority G.S. 131E-169.

##### **.0902 EMERGENCY EQUIPMENT**

The following equipment and supplies must be available and operable in an emergency:

- (1) suction equipment (portable);
- (2) defibrillator (portable);
- (3) intubation equipment;
- (4) drug kit;
- (5) oxygen tank supply;
- (6) regulator and mask or nasal cannula.

Authority G.S. 131E-169.

##### **.0903 PERSONNEL**

(a) For out-of-hospital cardiac rehabilitation programs: Two medical personnel must be present during the warm-up, stimulus, and cool-down phases of the cardiac therapy session. The medical personnel must consist of the attending physician and at least one of the following qualified personnel: registered nurse, physician, physician's assistant. The options are:

- (1) two M.D.'s, or
- (2) one M.D. and one Physician's Assistant licensed to work under that doctor, or
- (3) one M.D. and one registered nurse.

(b) For in-hospital programs:

- (1) The physician must be in-house but not involved in such activities as surgery, cardiac cath, etc. In other words, he/she must be immediately available by some direct emergency contact system. This system must be tested at regular intervals.
- (2) Backup code-blue team response must be available.
- (3) One certified Advanced Cardiac Life Support (ACLS) staff member able to implement approved ACLS protocol should be present at the exercise site.

Authority G.S. 131E-169.

**.0904 EMERGENCY DRILLS**

A written record of monthly drills should be documented. In the record, a daily review of the crash cart equipment and a monthly drug inventory is required. The drills should be directed, and the effectiveness of the drill should be reviewed, documented, and signed by, the medical director or attending physician.

Authority G.S. 131E-169.

**SECTION .1000 - FACILITIES AND EQUIPMENT**

**.1001 PROGRAM REQUIREMENTS**

(a) Facilities and equipment necessary for the delivery of each phase of the Cardiac Rehabilitation Program must be readily available for use.

(b) A written preventive maintenance program shall be established to ensure that all equipment is maintained in safe and proper working order.

(c) A quality assurance program must be provided for periodic calibration of test equipment which is in accordance with manufacturers' recommendations or other generally accepted standards.

Authority G.S. 131E-169.

**.1002 GRADED EXERCISE TESTING LABORATORY EVALUATION**

The following facilities and equipment shall be available for laboratory evaluation:

(1) adequate space for physical examination and graded exercise testing;

(2) 12-lead electrocardiographic equipment for exercise testing;

(3) oscilloscope for electrocardiographic (ECG) monitoring or continuous recording;

(4) treadmill, bicycle ergometer, or arm crank ergometer;

(5) sphygmomanometer, blood pressure cuff, and stethoscope;

(6) emergency procedures, equipment, and supplies as described in Section .0900 of this Subchapter on emergencies;

(7) anthropometric equipment (skinfold calipers, stadiometer and physician's balance scale); and

(8) spirometer for pulmonary function testing.

Authority G.S. 131E-169.

**.1003 CARDIAC THERAPY**

The following facilities and equipment shall be available and operable for the cardiac therapy program:

(1) gymnasium, multipurpose room, or track;

(2) portable ECG and oscilloscope;

(3) sphygmomanometer, blood pressure cuff, and stethoscope;

(4) emergency procedures, equipment, and supplies as

described in Section .0900 of this Subchapter.

(5) large clock with a sweep second hand;

(6) recreational games equipment if deemed necessary and appropriate by the program director or exercise specialist.

Authority G.S. 131E-169.

**.1004 DIETARY PROGRAM**

The following facilities and equipment shall be available for the dietary program:

(1) Adequate space for interviewing and counseling;

(2) Dietary tables and means of nutrient analysis;

(3) Availability of equipment or service for blood serum lipid analysis; and

(4) Appropriate educational materials for patient distribution and use during the dietary consultation.

Authority G.S. 131E-169.

**.1005 PSYCHOLOGICAL PROGRAM**

The following facilities must be available for the psychological program:

(1) adequate space for interviewing, testing, counseling and relaxation; and

(2) access to referral sources within the community.

Authority G.S. 131E-169.

**.1006 VOCATIONAL REHABILITATION PROGRAM**

Adequate space must be available for the vocational rehabilitation program to allow for confidential interviewing and counseling.

Authority G.S. 131E-169.

**SECTION .1100 - GENERAL INFORMATION: DEFINITIONS**

**.1101 DEFINITIONS**

The following definitions shall apply throughout this Subchapter:

(1) "ACLS-trained" means training that is current in Advanced Cardiac Life Support, by the American Heart Association.

(2) "ACSM" means the American College of Sports Medicine.

(3) "Article" means Article 8 of G.S. 131E.

(4) "Cardiac Rehabilitation Program" has the same meaning as the definition in the Article.

(5) "Certification" has the same meaning as the definition in the Article.

(6) "DVRS" means the Division of Vocational Rehabilitation Services, North Carolina Department of Health and Human Services.

(7) "Department" means the North Carolina Department

(8) "of Health and Human Services." "Dietitian or nutritionist" means an individual who is licensed according to G.S. 90, Article 25.

(9) "Division" means the Division of Facility Services, North Carolina Department of Health and Human Services.

(10) "ECG" means electrocardiogram.

(11) "Graded exercise test" (GXT) means a multistage test that determines a person's physiological response to different intensities of exercise or the person's peak aerobic capacity.

(12) "Maximal oxygen consumption" means the highest rate of oxygen transport and oxygen use that can be achieved at a person's maximal physical exertion, or functional capacity. This is usually expressed in METs.

(13) "Mental health professional" means an individual who is:

- (a) licensed as a psychiatrist;
- (b) licensed as a psychiatric clinical nurse specialist;
- (c) licensed as a psychologist or psychological associate;
- (d) certified as a clinical social worker; or
- (e) licensed as a professional counselor.

(14) "MET" means "metabolic equivalent," a measure of functional capacity, or maximal oxygen consumption. One MET represents the approximate rate of oxygen consumption by a seated individual at rest: approximately 3.5 ml/kg/min. METs during exercise are determined by dividing metabolic rate during exercise by the metabolic rate at rest.

(15) "Nurse Practitioner" means a currently licensed registered nurse approved by the NC Board of Nursing and NC Medical Board to practice medicine as a nurse practitioner under the supervision of a physician licensed by the Board.

(16) "Owner" means the legal owner of the certified cardiac rehabilitation program.

(17) "Physician" means an individual who is licensed according to G.S. 90, Article 1, by the NC Medical Board to practice medicine.

(18) "Physician Assistant" means an individual who is licensed and registered according to G.S. 90, Article 1, by the NC Medical Board to practice medicine under the supervision of a physician licensed by the Board.

(19) "Premises" means "site."

(20) "Program" means "Cardiac Rehabilitation Program."

(21) "Registered nurse" means an individual licensed by the NC Board of Nursing to practice as a registered nurse in the State of North Carolina.

(22) "Risk stratification model" means a method of categorizing patients according to their risk of acute cardiovascular complications during exercise as well as their overall prognosis. Risk status is related primarily to the type and severity of cardiovascular

disease. This rating takes into account how well the heart pumps, the presence of heart pain symptoms and/or changes in the electrocardiogram during exercise. Guidelines concerning medical supervision of patients in cardiac rehabilitation programs which are based on risk stratification models are provided by: the American College of Cardiology, the American College of Physicians, the American Association of Cardiovascular and Pulmonary Rehabilitation, the American Heart Association, and the North Carolina Cardiopulmonary Rehabilitation Association.

(23) "Simple spirometry" means an analysis of air flow which provides information as to the degree and severity of airway obstruction, and serves as an index of dynamic lung function. It must include, at a minimum, Forced Vital Capacity and Forced Expiratory Volume in 1 second.

(24) "Site" means the facility in which the cardiac rehabilitation program is held.

(25) "Supervising physician" means a physician who is on-site during the operation of the cardiac rehabilitation program.

(26) "Symptom-limited heart rate reserve" means the difference between the symptom-limited maximal heart rate and the resting heart rate.

(27) "Vocational Questionnaire" means the document used for vocational assessment.

(28) "Vocational Rehabilitation Counselor" means an individual who provides vocational rehabilitation counseling services.

Authority G.S. 131E-169.

## SECTION .1200 - CERTIFICATION

### .1201 CERTIFICATION REQUIRED

(a) Certification of cardiac rehabilitation services as a "Cardiac Rehabilitation Program" under the Article occurs upon the issuance of a certificate pursuant to the provisions of the Article and this Subchapter. Once issued, the certificate continues and remains in effect pursuant to the provisions of the Article and this Subchapter.

(b) A certificate issued by the Department pursuant to the Article and this Subchapter shall be issued only for the premises and person(s) named in the application and shall not be transferable or assignable. The named person(s) and the street address of the named premises shall appear on the certificate.

(c) A certificate issued by the Department pursuant to the Article and this Subchapter shall be posted in a conspicuous place on the premises.

Authority G.S. 131E-169.

### .1202 CERTIFICATION PROCESS

(a) To initiate the certification process, an application for

certification shall be filed with the Department by the owner of the cardiac rehabilitation services.

(b) Application forms shall be available from the Department, and each application shall contain at least the following information:

- (1) legal identity of the owner-applicant;
- (2) name or names under which the facility or services are advertised or presented to the public;
- (3) program mailing address;
- (4) program exercise site;
- (5) program telephone number;
- (6) ownership disclosure;
- (7) name of program director;
- (8) name of medical director; and
- (9) program hours of operation.

(c) No applicant shall offer any cardiac rehabilitation services described or represented as a "Certified Cardiac Rehabilitation Program," unless the services have been certified in accordance with the provisions of this Subchapter.

(d) Except as otherwise provided in this Section, the Department shall inspect and evaluate the program and premises identified in the application and shall thereafter issue a certificate upon its determination that the applicant has substantially complied with, and the program and the services at the premises substantially met, the provisions of the Article and this Subchapter.

Authority G.S. 131E-169.

#### **.1203 CERTIFICATE RENEWAL**

(a) A certificate issued pursuant to the Article and this Subchapter shall expire two years after the effective date but can be renewed upon the successful re-evaluation of the program. To initiate the renewal process, an application for certification shall be filed with the Department by the owner of the program.

(b) Determination of compliance with the provisions of the Article and this Subchapter for purposes of certificate renewal may, at the discretion of the Department, be based upon an inspection or upon review of requested information submitted by a program to the Department.

(c) The Department, at its discretion, may renew a program's certificate based upon evidence provided by the program, such as an accreditation report, that it has been inspected, evaluated, and approved by an accrediting body recognized by the Department.

Authority G.S. 131E-167; 131E-169.

#### **.1204 CERTIFICATION FOLLOWING PROGRAM CHANGES**

(a) The Department shall be notified, in writing, at least 30 days prior to the effective date, of any expected occurrences of the following:

- (1) change in program ownership;
- (2) change in program name;
- (3) change of the premises in which a program is

conducted; and

- (4) the replacement or termination of employment of the program director.

(b) If a 30-day advanced written notification of any occurrence enumerated in Paragraph (a) of this Rule is not possible, the Department shall be notified immediately, by any reasonably reliable means of notification, of such expected or completed occurrence, and written notification shall follow immediately thereafter.

(c) Upon the occurrences enumerated in Subparagraphs (a)(1), (2), and (3) of this Rule, the owner of the program shall file with the Department an application for certification, which, at a minimum, shall contain the information specified in Rule .1202(b) of this Subchapter, and shall provide such other documentation and information as requested by the Department.

(d) The revised program shall be evaluated for compliance with the provisions of the Article and this Section. Evaluation may be based upon inspection of the program or upon review of requested information submitted by a program to the Department. After a determination by the Department that the program substantially complies with the provisions of the Article and this Subchapter, a new certificate shall be issued.

Authority G.S. 131E-169.

#### **.1205 INSPECTIONS**

(a) In accordance with G.S. 131E-167(c), inspection(s) shall be made by the Department before a program is issued its initial certification as a program defined in the Article.

(b) The Department shall make or cause to be made such other inspections of a program as it deems necessary in accordance with the Article. Circumstances which may be deemed to necessitate an inspection include, but are not limited to:

- (1) change in program ownership;
- (2) change in program name;
- (3) change of the premises in which a program is conducted;
- (4) the replacement or termination of employment of the program director; and
- (5) investigation of complaints.

(c) Inspections may be unannounced and may be conducted any time during program business hours. The purpose of any inspection shall be discussed with the Program Director or designee during an entrance conference.

(d) Information deemed necessary by the Department to evaluate compliance with the Article and this Subchapter, shall be made available for inspection. The information may include medical records, personnel files, policies and procedures, program records, interviews with program staff, interviews with patients, observation of the program in operation, and any other information necessary to determine compliance.

(e) Following completion of an inspection, an exit conference shall be conducted with one or more representatives of the program's management. An oral summary of the findings shall be presented at the exit conference. The Department shall

provide the program with a written report of the findings. The program shall have 10 working days from the receipt of the report to respond with a plan of correction which describes the corrective actions planned and taken to correct any cited deficiency(ies), the date each deficiency was or will be corrected, and the date the program expects to be in compliance with the provisions of the Article and this Subchapter.

Authority G.S. 131E-169; 131E-170.

#### .1206 ADVERSE ACTION

(a) Upon a determination that there has been a substantial failure to comply with the provisions of the Article or the rules contained in this Subchapter, the Department may, at its discretion, deny a new or renewal certificate, suspend or revoke an existing certificate, or, as enumerated in Paragraph (c) of this Rule, issue a provisional certificate.

(b) Substantial noncompliance which has endangered, or has a potential to endanger the health, safety, or welfare of any patient, shall be cause for the denial, revocation, or suspension of a certificate.

(c) Substantial noncompliance which does not endanger the health, safety, or welfare of the patients being served may, at the discretion of the Department, result in the issuance of a provisional certificate for a period not to exceed six months.

Authority G.S. 131E-168; 131E-169.

#### .1207 PROCEDURE FOR APPEAL

In accordance with G.S. 131E-168(b), all administrative action and judicial review in cases where the Department has denied a new or renewal certificate, or suspended or revoked an existing certificate, shall be governed by the provisions of G.S. 150B, the Administrative Procedure Act.

Authority G.S. 131E-168(b).

### SECTION .1300 - ADMINISTRATION

#### .1301 STAFF REQUIREMENTS AND RESPONSIBILITIES

(a) Each program shall be conducted utilizing an interdisciplinary team. At a minimum, the team shall include individuals performing the following functions. The program may employ, full-time or part-time, or contract for the services of team members. Program staff shall be available to patients as needed to perform initial assessments and to implement each patient's cardiac rehabilitation care plan.

(b) Individuals may perform multiple team functions, if qualified for each function, as stated in this Rule:

- (1) Program Director - supervises program staff and directs all facets of the program. The individual serving as program director must either be:
  - (A) certified by the ACSM as a program director; or
  - (B) have a bachelor's degree in a health or fitness

field and have two years direct clinical experience in a health care field, in appropriate subject matter.

- (2) Medical Director - physician who provides medical assessments and is responsible for supervising all clinical aspects of the program and for assuring the adequacy of emergency procedures and equipment, testing equipment, and personnel.
- (3) Registered Nurse - provides nursing assessments and services, and coordinates care in occurrences requiring physician intervention or cessation of an exercise session.
- (4) Exercise Specialist - provides an exercise assessment, in consultation with the medical director, plans and evaluates exercise therapies. The exercise specialist must either:
  - (A) Be certified by the ACSM as an exercise specialist or as a program director; or
  - (B) Be supervised by a program staff member who is certified by the ACSM as an exercise specialist or as a program director and:
    - (i) have a bachelor's degree in a health or fitness field;
    - (ii) have at least one year's experience working full-time with adult fitness or cardiac rehabilitation programs;
    - (iii) be certified in senior life saving or supervised by a staff member certified in senior life saving if an aquatic program is offered.
- (5) Mental Health Professional - provides directly or assists program staff in completion of the mental health screening and referral, if indicated, for further mental health services.
- (6) Dietitian or Nutritionist - provides directly or assists program staff in completion of the nutrition assessment and referral, if indicated, for further nutrition services.
- (7) Supervising Physician, Physician Assistant, or Nurse Practitioner - medical person who is on-site during the operation of programs that are not located within a hospital.
- (8) DVRS or other Vocational Rehabilitation Counselor - screens patients who may be eligible for and interested in vocational rehabilitation services, develops assessment and intervention strategies, and provides other services as needed to meet the vocational goal(s) of patients who may be eligible for and interested in services.

Authority G.S. 131E-169.

#### .1302 POLICIES AND PROCEDURES

The program director shall assure that written policies and procedures are adopted by the program, approved by the medical director, and available to and implemented by staff. At a minimum, these policies and procedures shall include the

following areas:

- (1) admission of patients and orientation to the program;
- (2) patient assessment, care planning, and implementation of therapies;
- (3) patient follow-up evaluations, including progress toward cardiac rehabilitation goals;
- (4) patient discharge;
- (5) medical records, in accordance with Rule .2002 of this Subchapter;
- (6) orientation of all program personnel;
- (7) maintenance of personnel records which include job descriptions, verification of credentials, continuing education and current competencies;
- (8) use and orientation of volunteers;
- (9) communication with patient's referral and personal physicians;
- (10) provisions for reporting and investigating complaints and accidental events regarding patients, visitors and personnel (incidents) and corrective action taken;
- (11) emergency procedures;
- (12) a preventative maintenance program to assure all equipment is maintained in safe and proper working order and in accordance with the manufacturer's recommendations; and
- (13) quality improvement program.

Authority G.S. 131E-169.

### .1303 CONTINUOUS QUALITY IMPROVEMENT

(a) The cardiac rehabilitation program shall have an ongoing Continuous Quality Improvement (CQI) program which identifies quality deficiencies and addresses them with corrective plans of action, as indicated.

(b) The CQI program shall evaluate the appropriateness, effectiveness, and quality of the cardiac rehabilitation program, with findings used to verify policy implementation, to identify problems, and to establish problem resolution and policy revision as necessary.

(c) The CQI program shall consist of an overall policy and administration review, including admission and discharge policies, emergency care, patient records, personnel qualifications and program evaluation. Data to be assessed shall include, at a minimum, the following:

- (1) number of patients in the program;
- (2) average length (weeks) patients are in the program;
- (3) patient clinical outcomes;
- (4) adequacy of staff to meet program/patient needs;
- (5) reasons for discharge; and
- (6) untoward events.

(d) A sample of active and closed records shall be reviewed at least quarterly to assure program policies are followed and the program is in compliance with the Article and the rules contained in this Subchapter.

(e) Documentation of the CQI program shall include the criteria and methods used to collect and analyze data, identification of quality deficiencies, and any action(s) taken by

the cardiac rehabilitation program as a result of CQI findings.

Authority G.S. 131E-169.

## SECTION .1400 - PATIENT RIGHTS

### .1401 PATIENT RIGHTS

(a) Prior to or at the time of admission, the program shall provide each patient with a written notice of the patient's rights and responsibilities. The program shall maintain documentation showing that all patients have been informed of their rights and responsibilities.

(b) Each patient's rights shall include, at a minimum, the right to:

- (1) be informed and participate in developing the patient's plan of care;
- (2) voice grievances about the care provided, and not be subjected to discrimination or reprisal for doing so;
- (3) confidentiality of the patient's records;
- (4) be informed of the patient's liability for payment for services;
- (5) be informed of the process for acceptance and continuation of service and eligibility determination;
- (6) accept or refuse services; and
- (7) be advised of the program's procedures for discharge.

(c) The program shall provide all patients with a telephone number for information, questions or complaints about services provided by the program. The program shall also provide the Division Complaints Hotline number or the Department of Health and Human Services Careline number.

(d) The program shall investigate, within seven days, complaints made to the program by the patient, the patient's family, and/or significant other, and must document both the existence of the complaint and the resolution of the complaint.

Authority G.S. 131E-169.

## SECTION .1500 - ADMISSION AND DISCHARGE

### .1501 ADMISSION AND DISCHARGE

(a) All patients admitted to the program shall have a referral from a physician.

(b) Prior to discharging a patient, the interdisciplinary team shall develop a discharge plan. At a minimum, the discharge plan shall include instructions as to how to achieve or maintain the goals established in the cardiac rehabilitation care plan.

(c) Upon discharge from the program, a discharge summary as outlined in Rule .2002(a)(10) of this Subchapter, shall be sent to the personal or referring physician.

Authority G.S. 131E-169.

## SECTION .1600 - PATIENT ASSESSMENT

### .1601 PATIENT ASSESSMENT

(a) Within five weeks of a patient's admission to the program,

the interdisciplinary team shall complete and document a cardiac rehabilitation assessment. At a minimum, the assessment shall include the components specified in this Rule.

**(b) Medical Assessment:**

- (1) cardiovascular evaluation as to present diagnosis, therapy, and a discharge summary of the patient's last hospitalization; or
- (2) statement by referring physician as to present diagnosis, and therapy;
- (3) resting 12-lead ECG;
- (4) medical record documentation prior to or during the first exercise session of ECG, hemodynamic data, and the presence or absence of symptoms, preferably determined by a graded exercise test. A graded exercise test shall not be required when deemed unnecessary by the patient's attending or personal physician;
- (5) fasting blood chemistry, as indicated, to include total cholesterol, high density lipoprotein (HDL) cholesterol, low density lipoprotein (LDL) cholesterol, triglycerides and other comparable measures; and
- (6) simple spirometry, if clinically indicated.

**(c) Physical Assessment:**

- (1) functional capacity as determined by measured or predicted equivalents (METs);
- (2) height, weight, and/or other anthropometric measures (i.e., body mass index, percent body fat, waist-to-hip ratio, girth measurements);
- (3) current and past exercise history; and
- (4) physical limitations and disabilities that may impact rehabilitation.

**(d) Nursing Assessment:**

- (1) coronary risk profile;
- (2) current symptoms such as angina or dyspnea, and recovery from recent cardiac events;
- (3) presence of comorbidities;
- (4) assessment of medications; and
- (5) educational needs.

**(e) Nutrition Assessment:**

- (1) review of medical history;
- (2) eating patterns as measured by a food diary, food frequency questionnaire, or an acceptable alternative;
- (3) fasting blood chemistries as described in Subparagraph (b)(5) of this Rule;
- (4) anthropometric measures as described in Subparagraph (c)(2) of this Rule;
- (5) behavioral patterns;
- (6) identification of nutritional goals.

**(f) Mental Health Assessment:**

- (1) past history of mental illness including depression, anxiety, and/or hostility or anger; and
- (2) present mental health functioning and need for referral to a mental health professional.

**(g) Vocational Assessment:**

- (1) vocational questionnaire to determine current vocational status, description of physical requirements

of job, working conditions, psychological demands as perceived by the patient; and

- (2) the need for vocational rehabilitation services.

*Authority G.S. 131E-169.*

**SECTION .1700 - CARE PLANNING AND FOLLOW-UP EVALUATION**

**.1701 CARE PLANNING**

(a) Within five weeks of a patient's admission to the program, the interdisciplinary team shall develop a cardiac rehabilitation care plan for the patient based upon assessments completed as required under Section .1600 of this Subchapter.

(b) The cardiac rehabilitation care plan, at a minimum, shall include:

- (1) the patient's exercise therapy;
- (2) nutrition services, if indicated;
- (3) mental health services, if indicated;
- (4) vocational services if, indicated;
- (5) educational counseling;
- (6) cardiac rehabilitation goals; and
- (7) discharge planning.

(c) Within six weeks of the patient's admission to the program, a copy of the cardiac rehabilitation care plan shall be sent to the patient's personal and referring physicians.

*Authority G.S. 131E-169.*

**.1702 FOLLOW-UP EVALUATION**

(a) The interdisciplinary team members shall attend monthly meetings for follow-up evaluation of patients' progress toward cardiac rehabilitation goals. Changes to each patient's cardiac rehabilitation care plan shall be made as needed based on continued evaluations. Any changes made in the patient's cardiac rehabilitation care plan shall be recorded in the medical record and sent to the patient's personal and referring physician(s).

(b) If any staff member cannot attend, the reason for the absence and the means of communicating information prior to and after the meeting shall be documented.

(c) The personal and referring physician(s) shall be informed of any complication or change in patient status while in the program.

(d) Progress notes shall be recorded in the patient's medical record evaluating progress toward goals established from the plan of care.

*Authority G.S. 131E-169.*

**SECTION .1800 - PROVISION OF SERVICES**

**.1801 PERSONNEL**

(a) At least one ACLS certified and one other staff member shall be present at the site during all program hours.

(b) For cardiac rehabilitation programs that are not located

within a hospital or a hospital emergency resuscitation team is not available to respond in an emergency, a supervising physician, physician assistant, or nurse practitioner shall be on-site during all program hours.

Authority G.S. 131E-169.

**.1802 EXERCISE THERAPY**

(a) The medical director, in consultation with program staff, shall establish staff to patient ratios for exercise therapy sessions based on medical acuity, utilizing an acceptable risk stratification model.

(b) If any patient has not had a graded exercise test prior to the first exercise session, the patient's first exercise session must include objective assessment of hemodynamic data, ECG, and symptom response data.

(c) Unless contraindicated by medical and laboratory assessments or the cardiac rehabilitation care plan, each patient's exercise therapy shall include:

(1) mode of exercise therapy including, but not limited to: walk/jog, aquatic activity, cycle ergometry, arm ergometry, resistance training, stair climbing, rowing, aerobics;

(2) intensity:

(A) up to 85 percent of symptom-limited heart rate reserve;

(B) up to 80 percent of measured maximal oxygen consumption;

(C) rating of perceived exertion (RPE) of 11 to 13 if a graded exercise test is not performed; or

(D) for myocardial infarction patients: heart rate not to exceed 20 beats per minute above standing resting heart rate if a graded exercise test is not performed; and for post coronary artery by-pass graft patients: heart rate not to exceed 30 beats per minute above standing resting heart rate if a graded exercise test is not performed;

(3) duration: up to 60 minutes, as tolerated, including a minimum of five minutes each for warm-up and cool-down;

(4) frequency: minimum of three days per week.

(d) The patient shall be monitored through the use of electrocardiography during each exercise therapy session. The frequency of the monitoring shall be based on medical acuity and risk stratification.

(e) At two week intervals, the patient's adherence to the cardiac rehabilitation care plan and progress toward goals shall be monitored by an examination of exercise therapy records and documented.

(f) The exercise specialist shall be responsible for consultation with the medical director or the patient's personal physician concerning changes in the exercise therapy, results of graded exercise tests, as needed or anticipated (e.g. regular follow-up intervals, graded exercise test conducted, or medication changes). Feedback concerning changes in the

exercise therapy shall be discussed with the patient and documented.

(g) Diabetic patients who are taking insulin and/or oral hypoglycemic agents for control of diabetes shall have blood sugars monitored for at least the first week of cardiac therapy sessions in order to establish the patient's level of control and subsequent response to exercise. Cardiac rehabilitation staff shall record blood sugar measurements pre- and post-exercise. Patients whose blood sugar values are considered abnormal shall be monitored until better diabetic control is established. Snacks shall be available in case of a hypoglycemic response.

Authority G.S. 131E-169.

**.1803 NUTRITION SERVICES**

If indicated, based on the nutrition assessment and cardiac rehabilitation care plan, each patient's program shall include the following nutrition services:

- (1) interpretation and feedback on the patient's eating patterns, blood chemistries, anthropometrics, and behavioral patterns;
- (2) identification of a therapeutic diet plan to determine, at a minimum, a reasonable body weight, caloric, and fat intake;
- (3) patient counseling and/or behavior modification based on the therapeutic diet plan and goals.

Authority G.S. 131E-169.

**.1804 MENTAL HEALTH SERVICES**

If indicated, based on the mental health assessment and cardiac rehabilitation care plan, each patient's program shall include the following mental health services:

- (1) feedback from mental health assessment to the patient; and
- (2) present mental health functioning and need for referral to a mental health professional for evaluation or treatment.

Authority G.S. 131E-169.

**.1805 VOCATIONAL REHABILITATION COUNSELING AND SERVICES**

(a) The cardiac rehabilitation program shall have a written agreement, with the local DVRS office or other vocational rehabilitation counselor/services, which specifies the following:

- (1) The program shall administer a Vocational Questionnaire to patients.
- (2) After administering the Vocational Questionnaire, the program shall refer to the DVRS or other vocational rehabilitation counselor/services patients who may be eligible for and desire services.
- (3) The DVRS or other vocational rehabilitation counselor shall provide feedback to the cardiac rehabilitation program regarding the eligibility for DVRS or other vocational services of referred

patients.

(4) The DVRS or other vocational rehabilitation counselor shall provide progress reports for patients who are receiving DVRS or other vocational rehabilitation services.

(5) The DVRS or other vocational rehabilitation counselor shall attend monthly staff meetings in which eligible vocational rehabilitation clients are discussed. If the counselor cannot attend, the reason for the absence and the means of communicating information prior to and after the meeting shall be documented and attached to the staffing report.

(b) The cardiac rehabilitation program must have written documentation that feedback as described in Subparagraph (a)(3) of this Rule and progress reports as described in Subparagraph (a)(4) of this Rule have been communicated to the cardiac rehabilitation program by the DVRS or other counselor and, if not, the reason(s) why.

(c) If the program is not able to complete a written agreement with the local office of DVRS or other vocational rehabilitation counselor as outlined in Paragraph (a) of this Rule, the program shall have documentation that specifies why such an agreement was not completed.

Authority G.S. 131E-169.

## .1806 PATIENT EDUCATION

(a) Each patient's cardiac rehabilitation care plan shall include participation in the program's basic education plan. At a minimum, the education plan shall include the following topics:

- (1) basic anatomy, physiology, and pathophysiology of the cardiovascular system;
- (2) risk factor reductions, including smoking cessation and management of blood pressure, lipids, diabetes, and obesity;
- (3) principles of behavior modification including nutrition, exercise, stress management and other lifestyle changes;
- (4) relaxation training offered at least once per week by staff trained in relaxation techniques;
- (5) cardiovascular medications including compliance, interactions, and side effects;
- (6) basic principles of exercise physiology, guidelines for safe and effective exercise therapy, and guidelines for vocational/recreational exertional activities;
- (7) recognition of cardiovascular signs, symptoms and management; and
- (8) environmental considerations such as exercise in hot or cold climates.

(b) The educational program shall include individual or group sessions utilizing written, audio, and/or visual educational materials as deemed appropriate and necessary by program staff.

(c) Each session shall be documented and presented on a rotating basis such that each patient has access to all materials and classes offered.

(d) Documentation shall be included in each patient's medical record to indicate which educational programs the patient

attended.

Authority G.S. 131E-169.

## SECTION .1900 - EMERGENCIES

### .1901 EMERGENCY PLAN

A written plan approved and signed by the medical director shall be established to handle any emergencies occurring on site while cardiac rehabilitation services are being provided. All areas of the premises pertinent to program operation shall be included. The plan shall address the assignment of personnel and availability of equipment required in an emergency.

Authority G.S. 131E-169.

### .1902 EMERGENCY EQUIPMENT

The following equipment and supplies must be available and operable in the event of an emergency and must be maintained according to manufacturer's recommendations:

- (1) suction equipment (portable);
- (2) defibrillator (portable);
- (3) intubation equipment;
- (4) medications;
- (5) oxygen tank supply;
- (6) regulator and mask for nasal cannula; and
- (7) communication system to access emergency medical services.

Authority G.S. 131E-169.

### .1903 EMERGENCY DRILLS

(a) At least six patient emergency drills shall be conducted each year and shall be documented.

(b) Drill sites shall be rotated through all locations used by patients while participating in program activities.

(c) The drill documentation and effectiveness of emergency drills shall be reviewed and signed by the medical director or supervising physician.

Authority G.S. 131E-169.

## SECTION .2000 - MEDICAL RECORDS

### .2001 POLICIES AND PROCEDURES

The program shall develop and implement policies and procedures to include at least the following:

- (1) maintenance of a complete, accurate, and organized medical record for each patient admitted to the program;
- (2) confidentiality of records;
- (3) accessibility of medical record information to the patient, program staff, and non-employees;
- (4) authentication of entries in medical records including hard copy records and those kept in electronic medium such as computerized records; and

(5) retention and disposition of records in accordance with the NC Statutes of Limitations, G.S. 1-15, 1-17.

Authority G.S. 131E-169.

**.2002 CONTENT OF MEDICAL RECORDS**

(a) The medical record shall contain at least the following information:

- (1) patient identification data;
- (2) medical history and, when applicable, hospital discharge summary;
- (3) graded exercise data, if available;
- (4) resting 12-lead ECG;
- (5) signed physician referral;
- (6) records of blood chemistry analyses;
- (7) signed informed consent to participate in the program;
- (8) progress notes and response to the cardiac rehabilitation care plan;
- (9) all records of each discipline's participation in the patient's cardiac rehabilitation care plan;
- (10) a discharge summary which describes the patient's progress while in the program, reason(s) for discharge, the post-discharge plan, and follow-up as indicated;
- (11) miscellaneous clinical records developed pursuant to the patient's course of treatment.

(b) In the case of hard copy medical records, the following shall apply:

- (1) the patient's name must be recorded on each page of the record;
- (2) all entries in the records shall be legible and authenticated with a signature, title, and date by the individual making the entry; and
- (3) faxed entries, including orders, are acceptable as long as a hard copy is incorporated in the medical record (note: thermal paper faxes are not acceptable).

(c) At its option, the program may maintain all or part of its medical records in a form other than hard copy, such as electronic medium. Entries in such a record shall be authenticated according to program policies and may include authentication measures such as personal computer entry codes or electronic signatures. However, when requested by the Division or other State officials, the program must be able to produce a hard copy printout of the record.

(d) Medical record information may be stored, such as when records are thinned or patients are discharged, in a form other than hard copy, but the program must be able to produce a hard copy printout of the record if requested by the Division or other State officials.

Authority G.S. 131E-169.

**SECTION .2100 - FACILITIES AND EQUIPMENT**

**.2101 PHYSICAL ENVIRONMENT AND EQUIPMENT**

(a) The program shall provide a clean and safe environment.  
(b) Equipment and furnishings shall be cleaned not less than weekly.

(c) All areas of the facility shall be orderly and free of debris and with clear traffic areas.

(d) A written and documented preventative maintenance program shall be established to ensure that all equipment is calibrated and maintained in safe and proper working order in accordance with manufacturers' recommendations.

(e) There shall be emergency access to all areas a patient may enter, and floor space must allow easy access of personnel and equipment.

(f) Exit signs and an evacuation plan shall be posted and clearly visible. The evacuation plan shall detail evacuation routes for patients, staff, and visitors in case of fire or other emergency.

(g) No smoking shall be permitted in patient care or treatment areas.

Authority G.S. 131E-169.

**.2102 GRADED EXERCISE TESTING LABORATORY**

If the program performs graded exercise testing, the following facilities and equipment shall be available:

- (1) space for physical examination which allows for visual privacy;
- (2) adequate space and temperature and humidity controls for exercise as described under "Physical Environment and Equipment" of this Subchapter;
- (3) 12-lead ECG equipment for recording the ECG during exercise testing;
- (4) oscilloscope for ECG monitoring or continuous recording;
- (5) treadmill, bicycle ergometer, or arm crank ergometer;
- (6) blood pressure cuff and stethoscope;
- (7) emergency procedures, equipment, and supplies as described in "Emergencies" of this Subchapter; and
- (8) access to spirometer for pulmonary function testing.

Authority G.S. 131E-169.

**.2103 EXERCISE THERAPY**

The following equipment shall be available and operable for the provision of exercise assessment and therapy:

- (1) ECG and oscilloscope;
- (2) blood pressure cuff and stethoscope;
- (3) large clock with sweep second hand;
- (4) blood glucose testing equipment; and
- (5) equipment for the performance of anthropometric measurements such as skinfold caliper, stadiometer, tape measure, and physician's scale.

Authority G.S. 131E-169.

**.2104 NUTRITION SERVICES**

If provided on site, the following facilities and equipment

shall be available for the provision of nutrition services:

- (1) space that allows for confidential interviewing and counseling;
- (2) nutrition guidelines and means of nutrient analysis; and
- (3) educational materials, as deemed appropriate by the program's dietitian/nutritionist, for patient distribution and use during nutrition therapy counseling.

Authority G.S. 131E-169.

#### **.2105 MENTAL HEALTH SERVICES**

If provided on site, space shall be available for the provision of the mental health services to allow for confidential interviewing and counseling.

Authority G.S. 131E-169.

#### **.2106 VOCATIONAL REHABILITATION SERVICES**

If provided on site, space shall be available for the provision of vocational rehabilitation services to allow for confidential interviewing and counseling.

Authority G.S. 131E-169.

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Notice is hereby given in accordance with G.S. 150B-21.2 that the DHHS - Division of Vocational Rehabilitation Services intends to amend the rules cited as 10 NCAC 20B .0224, .0228. Notice of Rule-making Proceedings was published in the Register on March 1, 1999.

**Proposed Effective Date:** July 1, 2000

**A Public Hearing** will be conducted at 2:00 p.m. on September 21, 1999 at the Division of Vocational Rehabilitation Services, Main Conference Room, 805 Ruggles Drive, Dorothea Dix Campus, Raleigh, NC.

**Reason for Proposed Action:** On August 7, 1998 the Federal Workforce Investment Act of 1998 (P.L. 105-220) was enacted. Included in this Act were the 1998 Amendments to the Rehabilitation Act. Section 102(c) of the Rehabilitation Act Amendments made several changes to the requirements for States to establish procedures for impartial due process hearings as follows:

(1) The amendments require that the procedures enable a party in an appeal to seek a review of a hearing officer's decision by the head of the designated State Agency (the Department of Health and Human Services) or an official of the Governor's Office. Previous federal law permitted a review of the hearing officer's decision by the Division Director upon his own discretion. The Federal agency has indicated there will be a 30 day deadline for the review.

(2) The amendments also specify that court review of decisions may be sought by bringing a civil action in any State Court of competent jurisdiction or any district court of the United States of competent jurisdiction. The previous federal law did not address court review.

**Comment Procedures:** Comments may be presented orally or in writing at the hearing. Oral statements may be limited at the discretion of the hearing officer. Written comments may be submitted until October 1, 1999 to Jackie Stalnaker, Division of Vocational Rehabilitation Services, 2801 Mail Service Center, Raleigh, NC 27699-2801. To obtain additional information or indicate need for alternative communication format contact Ms. Stalnaker in writing or by phone (919) 733-3364 or (919) 733-5924 (TDD). In addition a fiscal note is available upon written request from the same address.

<b>Fiscal Impact</b>		<b>Sub.</b>	<b>None</b>
<b>State</b>	<b>Local</b>		✓

## **CHAPTER 20 - VOCATIONAL REHABILITATION**

### **SUBCHAPTER 20B - PROCEDURE**

#### **SECTION .0200 - CONTESTED CASES: ADMINISTRATIVE REVIEWS: APPEALS HEARINGS**

##### **.0224 SECRETARY'S REVIEW AND FINAL DECISION**

(a) The division director Either party may request an impartial review of the hearing officer's decision and render the final decision: by the Secretary of the Department of Health and Human Services within 20 days of the receipt of the decision.

(b) The Secretary may delegate the responsibility for reviewing the hearing officer's decision and making the final decision to another employee of the Department but shall not delegate the responsibility to any officer or employee of the Division.

(c) If the division director decides to review the hearing officer's decision, In conducting the review, the director reviewing official shall send the written notification to both parties and allow the submission of additional evidence as required by Sec. 102 (c) of the Rehabilitation Act of 1973 (as amended by the Rehabilitation Act Amendments of 1998, 34 C.F.R. 361.48(c)(2)(iv) and (vii); P.L. 105-220). The written notification shall be given to the applicant or client personally or by certified mail. If given by certified mail, it shall be deemed to have been given on the delivery date appearing on the return receipt.

(b)(d) The division director's decision to review the hearing officer's decision reviewing official's review shall be based on the following standards of review:

- (1) Is the hearing officer's decision arbitrary, capricious, an abuse of discretion, or otherwise unreasonable?

- (2) Is the hearing officer's decision supported by substantial evidence, i.e., consistent with facts and applicable federal and state policy?
- (3) In reaching the decision, has the hearing officer given appropriate and adequate interpretation to such factors as:
  - (A) the federal statute and regulations as they apply to specific issue(s) in question;
  - (B) the state plan as it applies to the specific issue(s) in question;
  - (C) division rules as they apply to the specific issue(s) in question;
  - (D) key portions of conflicting testimony;
  - (E) division options in the delivery of services where such options are permissible under the federal statute; and
  - (F) restrictions in the federal statute with regard to such supportive services as maintenance and transportation.

(d) (e) Upon a determination to review the hearing officer's decision, The division director reviewing official shall make the final decision and provide such decision in writing to both parties within 30 days of providing notice of intent to review; the date the request for a review of the hearing officer's decision was received. The decision shall include a full report of the findings and the grounds for the decision. the written report thereof as required by 34 C.F.R. 361.48(e)(2)(viii) and (ix). The division director reviewing official shall not overturn or modify a decision, or part of a decision, of an impartial hearing officer that supports the position of the individual except as allowed

under Sec. 102(c) of the Rehabilitation Act of 1973 (as amended by the Rehabilitation Act Amendments of 1998, P.L. 102-569 105-220). Section 102(d)(3)(C): The final decision shall be given to the both applicant parties or client personally or by certified mail. If given by certified mail, it shall be deemed to have been given on the delivery date appearing on the return receipt.

(f) The hearing officer's decision shall be the final decision under the conditions specified in 34 C.F.R. 361.48(e)(2)(v); Sec. 102(c) of the Rehabilitation Act of 1973 (as amended by the Rehabilitation Act Amendments of 1998, P.L. 105-220).

(g) The division director shall forward a copy of the final decision, whether issued under (d) (e) or (f) of this Rule, to the deputy director Chief of Operations, the CAP director, the regional director, and the applicant's or client's representative, as appropriate. A copy shall also be included in the individual's official case record.

*Authority G.S. 143-545.1; 143-546.1; 150B-1; P.L. 105-220.*

#### **.0228 CIVIL ACTION**

Judicial review of decisions issued pursuant to Rules .0202 through .0225 of this Section shall be as specified in G.S. 150B; Article 4 with the exception of G.S. 150B-5(a) which shall not apply. Sec. 102(c) of the Rehabilitation Act of 1973 (as amended by the Rehabilitation Act Amendments of 1998, P.L. 105-220).

*Authority G.S. 143-545.1; 143-546.1; 150B-1; P.L. 105-220.*

*The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.*

## **TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Rule-making Agency:** DHHS-Division of Medical Assistance

**Rule Citation:** 10 NCAC 26H .0304

**Effective Date:** September 8, 1999

**Findings Reviewed by:** Beecher R. Gray

**Authority for the rule-making:** G.S. 108A-25(b); 108A-54; 108A-55; 42 C.F.R. Part 447, Subpart C

**Reason for Proposed Action:** *The application of the upper payment limit is an annual test performed by the Division of Medical Assistance to assure that the program is in compliance with the applicable federal regulations. The review this year of the cost report information for the fiscal period ending June 30, 1998, adjusted forward for inflation, would be expected to have a total of payments that would exceed the total of cost.*

**Comment Procedures:** *Written comments concerning this rule-making action must be submitted to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, 2504 Mail Service Center, Raleigh, NC 27699-2504.*

### **CHAPTER 26 - MEDICAL ASSISTANCE**

#### **SUBCHAPTER 26H - REIMBURSEMENT PLANS**

##### **SECTION .0300 - ICF-MR PROSPECTIVE RATE PLAN**

###### **.0304 RATE SETTING METHOD FOR NON-STATE FACILITIES**

(a) A prospective rate shall be determined annually for each non-state facility to be effective for dates of service for a 12 month rate period beginning each July 1. The prospective rate shall be paid to the provider for every Medicaid eligible day during the applicable rate year. The prospective rate may be determined after the effective date and paid retroactively to that date. The prospective rate may be changed due to a rate appeal under Rule .0308 of this State Plan or facility reclassification under Paragraph (b) of this Rule. Each non-state facility, except those facilities where Paragraph (v) of this Rule applies, shall be classified into one of the following groups:

- (1) Group 1- Facilities with 32 beds or less.
- (2) Group 2- Facilities with more than 32 beds.
- (3) Group 3- Facilities with medically fragile clients. For

rate reimbursement purposes under this Rule medically fragile clients are defined as any individual with complex medical problems who have chronic debilitating diseases or conditions of one or more physiological or organ systems which generally make them dependent upon 24-hour a day medical/nursing/health supervision or intervention.

- (4) Facilities in group 1 or 2 in Subparagraph (a)(1) or (2) of this Rule shall be further classified in accordance to the level of disability of the facility's clients, as measured by the Developmental Disabilities Profile (DDP) assessment instrument which along with the scoring instrument are hereby incorporated by reference, including subsequent amendments and editions. This material is available for inspection and copies may be obtained from the Division of Medical Assistance, 1985 Umstead Drive, Raleigh, North Carolina 27603 at a cost of twenty cents (\$.20) per page. A summary of the levels of disability is shown in the following chart:

#### **FACILITY DDP SCORE**

Level	Low	High
1	200.00	300.00
2	125.00	199.99
3	100.00	124.99
4	75.00	99.99
5	50.00	74.99

(b) Facilities shall be reclassified into appropriate groups as defined in Paragraph (a) of this Rule.

- (1) When a facility is reclassified, the rate shall be adjusted retroactively back to the date of the event that caused the reclassification. This adjustment shall give full consideration to any reclassification based on the change in facts or circumstances during the year. Overpayments related to this retroactive rate adjustment shall be repaid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.
- (2) The provider shall be given the opportunity to appeal the merits of the reclassification of any facility, prior to any decision by the Division of Medical Assistance.
- (3) The provider shall be notified in writing 30 days before the implementation of new rates resulting from the reclassification of any facility.
- (4) The providers and the Division of Medical Assistance shall make every reasonable effort to ensure that each

(5) facility is properly classified for rate setting purposes. A provider shall file any request for facility reclassification in writing with the Division of Medical Assistance no later than 60 days subsequent to the proposed reclassification effective date.

(6) For facilities certified prior to July 1, 1993, the facility DDP score calculated for fiscal year 1993 shall be used to establish proper classification at July 1, 1995.

(7) For facilities certified after June 30, 1993, the most recent facility DDP score shall be used to establish proper classification.

(8) A facility reclassification review shall use the most current facility DDP score.

(9) A facility's DDP score shall be subject to independent validation by the Division of Medical Assistance.

(10) A new facility that has not had a DDP survey conducted on its clients shall be categorized as a level 2 facility for rate setting purposes, pending completion of the DDP survey. Upon completion of the DDP survey, the facility shall be subject to reclassification and rates shall be adjusted retroactively back to the date of certification. Overpayments related to this retroactive adjustment shall be paid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.

(c) Facility rates under this Rule shall be established at July 1, 1995, under the following:

- (1) For facilities certified prior to July 1, 1993, rates shall be derived from the 1993 cost reports.
- (2) For facilities certified during fiscal year 1993-1994, the fiscal year 1994 facility specific cost report shall be used to derive rates.
- (3) For facilities certified during fiscal year 1994-1995, the fiscal year 1995 facility specific cost report shall be used to derive rates.
  - (A) Rates for these facilities shall not be adjusted, except for the impact of inflation under Paragraph (k) of this Rule, until the fiscal year 1995 cost report has been properly reviewed. Rates for these facilities shall be adjusted retroactively back to July 1, 1995, once the fiscal year 1995 facility specific cost report has been properly reviewed. Overpayments related to this retroactive rate adjustment shall be repaid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.
- (4) Facilities with rates established during a rate appeal proceeding with the Division of Medical Assistance during fiscal years 1994 or 1995 shall not have their rates established in accordance with Subparagraph (c)(1), (c)(2), or (c)(3) of this Rule.
  - (A) The rates for these facilities shall remain at the level approved in the rate appeal proceeding

adjusted only for inflation, as reflected in Paragraph (k) of this Rule.

(d) For facilities certified after June 30, 1993, rates developed from filed cost reports for fiscal years subsequent to 1993 may be retroactively adjusted if there is found to exist more than a two percent difference between the filed per diem cost and either the desk audited or field audited per diem cost for the same reporting period. Rates developed from desk audited cost reports may be retroactively adjusted if there is found to exist more than a two percent difference between the desk audited per diem cost and the field audited per diem cost for the same reporting period. The rate adjustment may be made after written notification to the provider 30 days prior to implementation of the rate adjustment.

(e) Each prospective rate developed in accordance with Subparagraph (c)(1), (c)(2), or (c)(3) of this Rule consists of the sum of two components as follows:

- (1) Indirect care rate.
- (2) Direct care rate.

(f) A uniform industry wide indirect care rate shall be established for each facility category shown under Subparagraph (a)(1), (a)(2), or (a)(3) of this Rule.

- (1) The indirect rate for group 1 facilities is based on the fiftieth percentile of the following costs incurred by all group 1 facilities with six beds or less, except those related by common ownership or control to more than 40 said facilities:
  - (A) The sum of the cost of property ownership and use, administrative and general, and operation and maintenance of plant, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports.
- (2) The indirect rate for group 2 facilities is based on the fiftieth percentile of the costs noted in Part (f)(1)(A) of this Rule incurred by the group 2 facilities, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports.
- (3) The indirect rate for group 3 facilities is based on the fiftieth percentile of the costs noted in Part (f)(1)(A) of this Rule incurred by the group 3 facilities, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports.
- (4) The indirect rates established under Subparagraphs (f)(1), (f)(2), and (f)(3) of this Rule shall be reduced as determined based on industry cost analysis by an amount not to exceed four percent to account for expected operating efficiencies.

(g) The direct care rate for facilities certified prior to July 1, 1993, shall be based on the Myers and Stauffer study performed on the 1993 base year cost reports.

- (1) The direct care rate for all facilities certified during fiscal years subsequent to fiscal year 1993 is based on the first facility specific cost report filed after certification. Based on said cost report, the direct care rate is equal to the sum of all allowable costs reflected in the ICF-MR cost report cost centers, as included in

the ICF-MR cost report format effective July 1, 1993, except for the following indirect cost centers:

- (A) Property Ownership and Use
- (B) Operation and Maintenance of Plant and Housekeeping-Non-Labor
- (C) Administrative and General
- (2) The direct care rate shall be limited to the lesser of the actual amount incurred in the base year or the cost limit derived from the fiftieth percentile of direct care costs incurred by the related facility group in the fiscal year 1993 base year, based on the Myers and Stauffer study.
- (3) The fiftieth percentile cost limit shall be reduced by one percent each year, for the four year period beginning July 1, 1996, in order to account for expected operating efficiencies, as determined based on industry cost analysis.
- (4) The fiftieth percentile cost limit shall be increased each year by price level changes calculated in accordance with Paragraph (k) of this Rule.
- (h) The indirect rate shall not be subject to cost settlement.
  - (1) Costs above the indirect rate shall not be paid to the provider.
  - (2) Costs savings below the indirect rate shall not be recouped from the provider.

(i) The direct care rate shall be subject to cost settlement, based on the cost report, subject to audit, filed with the Division of Medical Assistance.

- (1) Costs above the direct rate shall not be paid to the provider.
- (2) Cost savings below the direct rate shall be recouped from the provider.

(j) Facilities with rates established during a rate appeal proceeding with the Division of Medical Assistance during fiscal years 1994 or 1995 may choose to cost settle under the provisions of Paragraphs (h) and (i) of this Rule, or under the following procedure:

- (1) If, during a cost reporting period, total allowable costs are less than total prospective payments, then a provider may retain one-half of said difference, up to an amount of five dollars (\$5.00) per patient day. The balance of unexpended payments shall be refunded to the Division of Medical Assistance. Costs in excess of a facility's total prospective payment rate are not reimbursable.
- (2) The facilities subject to the Paragraph shall make the election on cost settlement methodology on or before the filing of the annual cost report with the Division of Medical Assistance.
- (3) An election to follow the cost settlement procedures of Paragraphs (h) and (i) of this Rule shall be irrevocable.
- (4) Rates established for these facilities during future rate appeal proceedings shall be subject to the cost settlement procedures of Paragraphs (h) and (i) of this Rule.

(k) To compute each facility's current prospective rate, the

direct and indirect rates established by Paragraphs (f) and (g) of this Rule shall be adjusted for price level changes since the base year. No inflation factor for any provider shall exceed the maximum amount permitted for that provider by federal or state law and regulations.

- (1) Price level adjustment factors are computed using aggregate costs in the following manners:
  - (A) Costs shall be separated into three groups:
    - (i) Labor,
    - (ii) Non-labor,
    - (iii) Fixed.
  - (B) The relative weight of each cost group is calculated to the second decimal point by dividing the total costs of each group (labor, nonlabor, and fixed) by the total cost of the three categories.
  - (C) Price level adjustment factors for each cost group shall be established as follows:
    - (i) Labor. The percentage change for labor costs is based on the projected average hourly wage of North Carolina service workers. Salaries for all personnel shall be limited to levels of comparable positions in state owned facilities or levels specified by the Division of Medical Assistance.
    - (ii) Nonlabor. The percentage change for nonlabor costs is based on the projected annual change in the implicit price deflator for the Gross National Product as provided by the North Carolina Office of State Budget and Management.
    - (iii) Fixed. No price level adjustment shall be made for this category.
  - (D) The weights computed in Part (k)(1)(B) of this Rule shall be multiplied by the rates computed in Part (k)(1)(C) of this Rule. These weighted rates shall be added to obtain the composite inflation rate to be applied to both the direct and indirect rates.
- (2) If necessary, the Division of Medical Assistance shall adjust the annual inflation factor in order to prevent payment rates from exceeding upper payment limits established by Federal Regulations.
  - (1) Effective July 1, 1995, any rate reductions resulting from this State Plan shall be implemented based on the following deferral methodology:
    - (1) Rates shall be reduced for the excess of current rates over base year costs plus inflation.
    - (2) Rates shall be reduced a maximum of 50 percent of the fiscal 1996 inflation rate for the excess of actual costs over applicable cost limits. This reduction shall result in the facility receiving at a minimum 50 percent of the 1996 inflation rate. Any excess reduction shall be carried forward to future years.
    - (3) Total reduction in future years related to the excess

reduction carried forward from Subparagraph (l)(2) of this Rule, shall not exceed the annual rate of inflation. This reduction shall result in the facility receiving at a minimum the rate established in Paragraph (l)(2) of this Rule. Any excess reduction shall be carried forward to future years, until the established rate equals that generated by Paragraphs (f), (g), and (k) of this Rule.

(4) Rates calculated based on Subparagraphs (l)(2) and (3) of this Rule shall be cost settled based on the provisions of Subparagraph (j)(1) of this Rule until the fiscal year that the facility receives full price level increase under Paragraph (k) of this Rule.

(A) A provider may make an irrevocable election to cost settle under the provisions of Paragraphs (h) and (i) of this Rule during the deferral period.

(B) Once the rates calculated based on Subparagraphs (l)(2) and (3) of this Rule reach the fiscal year that the facility receives the full price level increase under Paragraph (k) of this Rule, then said fiscal year's rates shall be cost settled based on Paragraphs (h) and (i) of this Rule.

(C) Chain providers are allowed to file combined cost reports, for cost settlement purposes, for facilities that use the same cost settlement methodology and have the same uniform rate.

(D) A provider may request from the Division of Medical Assistance permission to continue cost settlement under Subparagraph (j)(1) of this Rule after the deferral period expires. Said request shall be made each year, 30 days prior to the cost report due date.

(m) The initial rate for facilities that have been awarded a Certificate of Need is established at the lower of the fair and reasonable costs in the provider's budget, as determined by the Division of Medical Assistance, or the projected costs in the provider's Certificate of Need application, adjusted from the projected opening date in the Certificate of Need application to the current rate period in which the facility is certified based on the price level change methodology set forth in Paragraph (k) of this Rule, or the rate currently paid to the owning provider, if the provider currently has an approved chain rate for facilities in the related facility category. The rate may be rebased to the actual cost incurred in the first full year of normal operations in the year an audit of the first year of normal operation is completed.

(1) In the event of a change in ownership, the new owner receives no more than the rate of payment assigned to the previous owner.

(2) Except in cases wherein the provider has failed to file supporting information as requested by the Division of Medical Assistance, initial rates shall be granted to new enrolled facilities no later than 60 days from the provider's filing of properly prepared budgets and supporting information.

(3) The initial rate for a new facility shall be applicable to all dates of service commencing with the date the facility is certified by the Medicaid Program.

(4) The initial rate for a new facility shall not be entered into the Medicaid payment system until the facility is properly enrolled in the Medicaid program and a Medicaid identification number has been assigned to the facility by the Division of Medical Assistance.

(n) A provider with more than one facility may be allowed to recover costs through a combined uniform rate for all facilities.

(1) Combined uniform rates for chain providers shall be approved upon written request from the provider and after review by the Division of Medical Assistance.

(2) In determining a combined uniform rate for a particular facility group, the weighted average of each facility's rate, calculated in accordance to all other provisions of this Rule, shall be used.

(3) A chain provider with facility(s) that fall under Paragraphs (h) and (i) of this Rule and with facility(s) that fall under Subparagraph (l)(4) of this Rule may elect to include the facilities in a combined cost report and elect to cost settle under either Paragraphs (h) and (i) or Subparagraph (l)(4) of this Rule. The cost settlement election shall be made each year, 30 days prior to the cost report due date.

(o) Each out-of-state provider shall be reimbursed at the lower of the applicable North Carolina rate, as established by this plan for in-state facilities, or the provider's per diem rate as established by the state in which the provider is located. An out-of-state provider is defined as a provider that is enrolled in the Medicaid program of another state and provides ICF-MR services to a North Carolina Medicaid client in a facility located in the state of enrollment. Rates for out-of-state providers are not subject to cost settlement.

(p) Under no circumstances shall the Medicaid per diem rate exceed the private pay rate of a facility.

(q) Should the Division of Medical Assistance be unable to establish a rate for a facility, based on this Rule and the applicable facts known, the Division of Medical Assistance may approve an interim rate.

(1) The interim rate shall not exceed the rate cap established under this Rule for the applicable facility group.

(2) The interim rate shall be replaced by a permanent rate, effective retroactive to the commencement of the interim rate, by the Division of Medical Assistance, upon the determination of said rate based on this Rule and the applicable facts.

(3) The provider shall repay to the Division of Medical Assistance any overpayment resulting from the interim rate exceeding the subsequent permanent rate.

(r) In addition to the prospective per diem rate developed under this Rule, effective July 1, 1992, an interim payment add on shall be applied to the total rate to cover the estimated cost required under Title 29, Part 1910, Subpart 2, Rule 1910.1030 of the Code of Federal Regulations. The interim rate shall be

subject to final settlement reconciliation with reasonable cost to meet the requirements of Rule 1910.1030. The final settlement reconciliation shall be effectuated during the annual cost report settlement process. An interim rate add on to the prospective rate shall be allowed, subject to final settlement reconciliation, in subsequent rate periods until cost history is available to include the cost of meeting the requirements of Rule 1910.1030 in the prospective rate. This interim add on shall be removed, upon 10 days written notice to providers, should it be determined by appropriate authorities that the requirements under Title 29 Part 1910, Subpart 2, Rule 1910.1030 of the Code of Federal Regulations do not apply to ICF-MR facilities.

(s) All rates, except those noted otherwise in this Rule, approved under this Rule are considered to be permanent.

(t) In the event that the rate for a facility cannot be developed so that it shall be effective on the first day of the rate period, due to the provider not submitting the required reports by the due date, the average rate for facilities in the same facility group, or the facility's current rate, whichever is lower, shall be in effect until such time as the Division of Medical Assistance can develop a new rate.

(u) When the Division of Medical Assistance develops a new rate for a facility for which a rate was paid in accordance with Paragraph (t) of this Rule, the rate developed shall be effective on the first day of the second month following the receipt by the Division of Medical Assistance of the required reports. The Division of Medical Assistance may, upon its own motion or upon application and just cause shown by the provider, within 60 days subsequent to submission of the delinquent report, make the rate retroactive to the beginning of the rate period in question. Any overpayment to the provider resulting from this temporary rate being greater than the final approved prospective rate for the facility shall be repaid to the Medicaid Program.

(v) ICF-MR facilities meeting the requirements of the North Carolina Division of Facility Services as a facility affiliated with one or more of the four medical schools in the state and providing services on a statewide basis to children with various developmental disabilities who are in need of long-term high acuity nursing care, dependent upon high technology machines (i.e. ventilators and other supportive breathing apparatus) monitors, and feeding techniques shall have a prospective payment rate that approximates cost of care. The payment rate may be reviewed periodically, no more than quarterly, to assure proper payment. A cost settlement at the completion of the fiscal period year end is required. Payments in excess of cost are to be returned to the Division of Medical Assistance.

(w) A special payment in addition to the prospective rate shall be made in the year that any provider changes from the cash basis to the accrual basis of accounting for vacation leave costs. The amount of this payment shall be determined in accordance with Title XVIII allowable cost principles and shall equal the Medicaid share of the vacation accrual that is charged in the year of the change including the cost of vacation leave earned for that year and all previous years less vacation leave used or expended over the same time period and vacation leave accrued prior to the date of certification. The payment shall be made as a lump sum payment that represents the total amount due for the entire

fiscal year. An interim payment may be made based on an estimate of the cost of the vacation accrual. The payment shall be adjusted to actual cost after audit.

(x) The annual prospective rate, effective beginning each July 1, for facilities that commenced operations under the Medicaid Program subsequent to the base year used to establish rates, and therefore did not file a cost report for the base year, shall be based on the facility's initial rate, established in accordance with Paragraph (m) of this Rule, and the applicable price level changes, in accordance with Paragraph (l) of this Rule.

(y) Effective for fiscal years beginning on or after fiscal year 1998, installation cost of Fire Sprinkler Systems in an ICF-MR Facility shall be reimbursed in the following manner.

- (1) Upon receipt of the documentation listed in Parts (A) through (E) of this Subparagraph, the Division of Medical Assistance shall reimburse directly to the provider 90 percent of the verified cost.
  - (A) All related invoices.
  - (B) Verification from the Division of Facility Services that the Sprinkler System is needed.
  - (C) Statement from appropriate authorities that the Sprinkler System has been installed.
  - (D) Three bids to install the system.
  - (E) Prior approval from the Division of Medical Assistance for any installation projected to cost more than twenty-five thousand dollars (\$25,000).
- (2) The unreimbursed installation cost shall be reimbursed after audit through the annual Cost Settlement Process. This portion shall be offset by profits, after taking into consideration any indirect profits and direct losses. Any overpayments determined after audit shall be returned to the program by the provider through the annual cost settlement process.
- (3) The installation of the Sprinkler System is subject to Prudent Buyer Standards contained in the HCFA-15.
- (4) The Sprinkler System's installation costs shall be properly recorded on the provider's ICF-MR Cost Report.

*History Note: Filed as a Temporary Amendment Eff. July 8, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*

*Authority G.S. 108A-25(b); 108A-54; 108A-55; 42 C.F.R. Part 447, Subpart C;*

*Eff. December 1, 1984;*

*Amended Eff. August 1, 1995; November 1, 1993; March 1, 1988; January 1, 1987;*

*Temporary Amendment Eff. September 8, 1999; August 7, 1998.*

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## **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

### **CHAPTER 37 - BOARD OF NURSING HOME ADMINISTRATORS**

**Rule-making Agency:** *NC State Board of Examiners for Nursing Home Administrators*

**Rule Citation:** *21 NCAC 37D .0202; 37E .0102; 37F .0102; 37G .0102, .0201; 37H .0102*

**Effective Date:** *August 15, 1999*

**Findings Reviewed and Approved by:** *Julian Mann, III*

**Authority for the rule-making:** *G.S. 90-278; 90-280; 90-285; 90-286; 90-287*

**Reason for Proposed Action:** *The State Treasurer, pursuant to Budget guidelines, requires the Board to maintain a balance of \$150,000.00 in its account with the State Treasurer. Senate Bill 622 was introduced and enacted as S.L. 99-0217 to authorize the Board to charge additional fees to prevent a shortfall in the account. The affected parties will soon be submitting their applications, most of which will be approved by the Board after October 1, 1999, the effective date of the legislation. Therefore, the affected parties will owe the fees after that date.*

**Comment Procedures:** *Written comments may be addressed to Jane Baker, Executive Director, 3733 National Drive, Suite 228, Raleigh, NC 27612.*

## **SUBCHAPTER 37D - NEW LICENSES**

### **SECTION .0200 - APPLICATION FOR LICENSE**

#### **.0202 INITIAL LICENSURE FEE**

The applicant shall send to the Board, prior to licensure, an initial licensure fee of ~~three hundred twenty five dollars (\$325.00)~~ three hundred seventy five (\$375.00) when applicant has successfully passed the examinations as required by the Board under Sections .0600 and .0700 of this Chapter.

*History Note: Filed as a Temporary Amendment Eff. July 13, 1982 for a period of 120 days to expire on November 9, 1982; Authority G.S. 90-280;*

*Eff. February 1, 1976;*

*Amended Eff. August 1, 1977;*

*Readopted Eff. October 1, 1981; December 15, 1977;*

*Amended Eff. February 1, 1991; October 1, 1982; December 30, 1981;*

*Transferred and Recodified from 21 NCAC 37A .0302 Eff. April 1, 1996;*

*Amended Eff. August 1, 1996;*

*Temporary Amendment Eff. August 15, 1996;*

*Amended Eff. July 1, 1998;*

*Temporary Amendment Eff. August 15, 1999.*

## **SUBCHAPTER 37E - RECIPROCITY/ENDORSEMENT**

### **SECTION .0100 - APPLICATIONS**

#### **.0102 APPLICATION CONTENTS**

An applicant for reciprocity/endorsement shall submit, three weeks prior to the personal interview, a completed application, background resume, certified college transcript(s), three reference forms (one of which shall be from an employer) from individuals not related to the applicant who shall certify to the good moral character of the applicant as defined in 21 NCAC 37D.0203, licensing questionnaire(s) from every state where the applicant has held a license and ~~a one hundred twenty five dollar (\$125.00)~~ two hundred dollar (\$200.00) application fee.

*History Note: Authority G.S. 90-280; 90-285; 90-287;*

*Eff. February 1, 1976;*

*Readopted Eff. December 15, 1977;*

*Amended Eff. February 1, 1980;*

*Readopted Eff. October 1, 1981;*

*Amended Eff. August 1, 1995; August 2, 1993; February 1, 1991; May 1, 1989;*

*Transferred and Recodified from 21 NCAC 37A .0912(b) Eff. April 1, 1996;*

*Amended Eff. April 1, 1996;*

*Temporary Amendment Eff. August 15, 1999.*

## **SUBCHAPTER 37F - TEMPORARY LICENSE**

### **SECTION .0100 - TEMPORARY LICENSE REQUIREMENTS**

#### **.0102 ISSUANCE AND RENEWAL OF TEMPORARY LICENSE**

(a) An applicant for a temporary license shall request, in writing, a temporary license package from the Board, provide a letter from the owner or regional manager requesting the issue of such license for the facility, stating the circumstances necessitating the issuance of a temporary license, and submit a completed application package including payment of a ~~one hundred dollar (\$100.00)~~ two hundred dollar (\$200.00) fee.

(b) After an applicant is issued a temporary license he shall successfully pass the state examination as administered by the Board at the next scheduled testing period to retain the temporary license.

(c) A temporary license may be renewed at the discretion of the Board for an additional period not to exceed a total of six months.

(d) A temporary license shall be issued to the licensee to permit him to practice only in the nursing home to which he is assigned on the date of issuance.

(e) If the Board renews the temporary license, no further fee shall be required.

*History Note: Authority G.S. 90-278; 90-280; 90-285;*

*Eff. February 1, 1980;*

*Amended Eff. April 15, 1980;*

*Readopted Eff. October 1, 1981;*

*Amended Eff. May 1, 1989; December 1, 1983; October 1, 1982;  
Transferred and Recodified from 21 NCAC 37A .1003 Eff. April 1, 1996;  
Amended Eff. April 1, 1996;  
Temporary Amendment Eff. August 15, 1999.*

**SUBCHAPTER 37G - RENEWAL, INACTIVE,  
RESTORATION AND REINSTATEMENT,  
DUPLICATE**

**SECTION .0100 - RENEWAL REQUIREMENTS**

**.0102 RENEWAL FEE**

Upon making application for a new certificate of registration a licensee shall pay a biennial licensure fee of three hundred twenty-five dollars (\$325.00): three hundred seventy five dollars (\$375.00).

*History Note: Filed as a Temporary Amendment Eff. July 13, 1982 for a period of 120 days to expire on November 9, 1982;  
Authority G.S. 90-280; 90-285; 90-286;  
Eff. February 1, 1976;  
Amended Eff. August 1, 1977; April 8, 1977;  
Readopted Eff. December 15, 1977;  
Readopted w/change Eff. October 1, 1981;  
Amended Eff. February 1, 1991; May 1, 1989; December 1, 1983; October 1, 1982;  
Transferred and Recodified from 21 NCAC 37A .0904 Eff. April 1, 1996;  
Amended Eff. August 1, 1996;  
Temporary Amendment Eff. August 15, 1996;  
Amended Eff. July 1, 1998;  
Temporary Amendment Eff. August 15, 1999.*

**SECTION .0200 - INACTIVE LICENSES**

**.0201 INACTIVE STATUS REQUIREMENTS**

(a) An inactive list of administrators who are not practicing in this state shall be maintained by the Board. An administrator who desires to be placed on the inactive status list shall make a written request and submit a twenty-five-dollar (\$25.00) fifty dollar (\$50.00) per year fee to the Board. Inactive status shall only be granted on a prospective basis.

(b) A request to be placed on the inactive status list shall be submitted to the Board no later than 30 days after expiration of the license under 21 NCAC 37G .0101(a). Failure to submit the request and payment of the fee within this time shall result in automatic expiration of the license retroactive to the expiration date.

(c) An administrator may remain on the inactive list for a period not to exceed five four years.

*History Note: Authority G.S. 90-280; 90-285;  
Eff. February 1, 1976;  
Amended Eff. April 8, 1977;*

*Readopted Eff. December 15, 1977;  
Readopted with Change Eff. October 1, 1981;  
Amended Eff. February 1, 1991;  
Transferred and Recodified from 21 NCAC 37A .0906 Eff. April 1, 1996;  
Amended Eff. April 1, 1999;  
Temporary Amendment Eff. August 15, 1999.*

**SUBCHAPTER 37H - CONTINUING EDUCATION**

**SECTION .0100 - CONTINUING EDUCATION REQUIREMENTS**

**.0102 CONTINUING EDUCATION PROGRAMS OF STUDY**

(a) The Board shall certify and administer courses in continuing education for the professional development of nursing home administrators and to enable persons to meet the requirements of the rules in this Chapter. The licensee shall keep a record of his continuing education hours. Certified courses, including those sponsored by the Board, an accredited university, college or community college, associations, professional societies, or organizations shall:

- (1) contain a minimum of two classroom hours of academic work and not more than eight classroom hours within a 24-hour period; and
- (2) include instruction in the following general subject areas or their equivalents:
  - (A) Resident Care Management;
  - (B) Personnel Management;
  - (C) Financial Management;
  - (D) Environmental Management;
  - (E) Regulatory Management;
  - (F) Organizational Management.

*(b) In lieu of certifying each course offered by a provider, the Board may certify the course provider for an annual fee not to exceed two thousand dollars (\$2,000).*

*(b)(c) Certified courses not administered by the Board shall:*

- (1) be submitted to the Board for approval at least 30 days prior to the presentation of the program;
- (2) be accompanied with a fee of fifty dollars (\$50.00) to cover the cost of reviewing and maintaining records associated with the continuing education program; and
- (3) be approved for a period of one year from the date of initial presentation.

*(c)(d) Courses from an accredited university or community college shall meet all requirements as outlined in Paragraphs (a) and (b) of this Rule. A licensee submitting such courses for continuing education credit shall submit a copy of the final grade for said course work. Continuing education credit hours granted by the Board shall be the same as those granted by the institution.*

*(d)(e) Credit may be earned for participation in teleconferenced course only if there is a third party representative of the course sponsor or the Board present to*

verify the licensee's attendance throughout the course. No credit shall be earned for correspondence courses.

**(e)(1)** The Board shall charge a registration fee covering the cost of continuing education courses it sponsors, not to exceed two hundred fifty dollars (\$250.00).

*History Note:* Authority G.S. 12-3.1(c)(3); 90-278; 90-280; 90-285; 90-286;

*Eff. February 1, 1976;*

*Amended Eff. April 8, 1977;*

*Readopted Eff. December 15, 1977;*

*Readopted w/change Eff. October 1, 1981;*

*Amended Eff. August 2, 1993; February 1, 1991; May 1, 1989;*

*February 1, 1986;*

*Transferred and Recodified from 21 NCAC 37A .0404 Eff. April 1, 1996;*

*Temporary Amendment Eff. August 15, 1999.*

*This Section includes the Register Notice citation to Rules approved by the Rules Review Commission (RRC) at its meeting of June 17, 1999 pursuant to G.S. 150B-21.17(a)(1) and reported to the Joint Legislative Administrative Procedure Oversight Committee pursuant to G.S. 150B-21.16. The full text of rules are published below when the rules have been approved by RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register. The rules published in full text are identified by an \* in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

*These rules unless otherwise noted, will become effective on the 31st legislative day of the 2000 Session of the General Assembly or a later date if specified by the agency unless a bill is introduced before the 31st legislative day that specifically disapproves the rule. If a bill to disapprove a rule is not ratified, the rule will become effective either on the day the bill receives an unfavorable final action or the day the General Assembly adjourns. Statutory reference: G.S. 150B-21.3.*

**APPROVED RULE CITATION****REGISTER CITATION TO THE  
NOTICE OF TEXT**

12	NCAC 09B	.0109-.0110*	13:19 NCR 1611
12	NCAC 09B	.0112*	13:19 NCR 1611
12	NCAC 09B	.0115*	13:19 NCR 1611
12	NCAC 09B	.0207-.0208	13:19 NCR 1611
12	NCAC 09B	.0302-.0304*	13:19 NCR 1611
12	NCAC 09B	.0312	13:19 NCR 1611
12	NCAC 09B	.0403	13:19 NCR 1611
12	NCAC 09B	.0406*	13:19 NCR 1611
12	NCAC 09B	.0407	13:19 NCR 1611
12	NCAC 09B	.0414*	13:19 NCR 1611
12	NCAC 09B	.0415	13:19 NCR 1611
12	NCAC 09C	.0403	13:19 NCR 1611
12	NCAC 09E	.0107	13:19 NCR 1611
12	NCAC 10B	.0505-.0509	13:19 NCR 1636
12	NCAC 10B	.0703	13:19 NCR 1636
12	NCAC 10B	.0908	13:19 NCR 1636
12	NCAC 10B	.1002	13:19 NCR 1636
12	NCAC 10B	.1401	13:19 NCR 1636
12	NCAC 10B	.1402-.1405*	13:19 NCR 1636
12	NCAC 10B	.1406	13:19 NCR 1636
15A	NCAC 03I	.0107*	not required, G.S. 150B-21.4, 150B-21.5(a)(2)
15A	NCAC 03Q	.0106*	not required, G.S. 150B-21.4, 150B-21.5(a)(2)
15A	NCAC 07H	.2404*	13:13 NCR 1047
15A	NCAC 10B	.0109*	not required, G.S. 150B-21.4, 150B-21.5(a)(2)
15A	NCAC 10B	.0204*	not required, G.S. 150B-21.4, 150B-21.5(a)(2)
21	NCAC 14A	.0101*	13:19 NCR 1652
21	NCAC 14A	.0103*	13:19 NCR 1652
21	NCAC 14A	.0105	13:19 NCR 1652
21	NCAC 14A	.0202*	13:19 NCR 1652
21	NCAC 14F	.0101*	13:19 NCR 1652
21	NCAC 14F	.0105*	13:19 NCR 1652
21	NCAC 14G	.0103*	13:19 NCR 1652
21	NCAC 14I	.0109*	13:19 NCR 1652
21	NCAC 14J	.0103	13:19 NCR 1652
21	NCAC 14K	.0102*	13:19 NCR 1652
21	NCAC 14K	.0107*	13:19 NCR 1652
21	NCAC 14L	.0105	13:19 NCR 1652
21	NCAC 14L	.0216*	13:19 NCR 1652
21	NCAC 14N	.0101-.0105*	13:19 NCR 1652
21	NCAC 14N	.0108	13:19 NCR 1652
21	NCAC 14N	.0110*	13:19 NCR 1652
21	NCAC 14N	.0112*	13:19 NCR 1652

21	NCAC	14N	.0601-.0602	13:19 NCR 1652
21	NCAC	14N	.0701-.0702	13:19 NCR 1652
21	NCAC	14O	.0102-.0103*	13:19 NCR 1652
21	NCAC	14O	.0106*	13:19 NCR 1652
21	NCAC	14O	.0107	13:19 NCR 1652
21	NCAC	14P	.0101-.0104*	13:19 NCR 1652
21	NCAC	14P	.0106-.0109	13:19 NCR 1652
21	NCAC	14P	.0110*	13:19 NCR 1652
21	NCAC	14P	.0115*	13:19 NCR 1652

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**TITLE 12 - DEPARTMENT OF JUSTICE****CHAPTER 9 - CRIMINAL JUSTICE EDUCATION  
AND TRAINING STANDARDS****SUBCHAPTER 9B - STANDARDS FOR CRIMINAL  
JUSTICE EMPLOYMENT:EDUCATION: AND  
TRAINING****SECTION .0100 - MINIMUM STANDARDS FOR  
CRIMINAL JUSTICE EMPLOYMENT****.0109 MINIMUM STANDARDS FOR  
PROBATION/PAROLE OFFICERS**

In addition to the requirements for criminal justice officers contained in Rule .0101 of this Section, every probation/parole officer employed by an agency in North Carolina shall:

- (1) not have committed or been convicted of a felony; and
- (2) be a graduate of an accredited college or university, which is accepted by the American Council on Education(ACE) for the Commission on Recognition of Postsecondary Accreditation (CORPA) as accredited, and have attained at least the baccalaureate degree.

*History Note: Authority G.S. 17C-6;  
Eff. January 1, 1981;  
Amended Eff. August 1, 2000; December 1, 1987.*

**.0110 MINIMUM STANDARDS FOR  
PROBATION/PAROLE INTAKE OFFICERS**

In addition to the requirements for criminal justice officers contained in Rule .0101 of this Section, every probation/parole intake officer employed by an agency in North Carolina shall:

- (1) not have committed or been convicted of a felony; and
- (2) have attained the associate degree or have satisfactorily completed at least 60 semester hours of educational credit or 90 quarter hours of educational credit at an accredited technical institute, technical college, community college, junior college, college, or university, which is accepted by the American Council on Education (ACE) for the Commission on Recognition of Postsecondary Accreditation

(CORPA) as accredited.

*History Note: Authority G.S. 17C-6;  
Eff. January 1, 1981;  
Amended Eff. August 1, 2000; December 1, 1987.*

**.0112 MINIMUM STANDARDS FOR PAROLE CASE  
ANALYSTS**

In addition to the requirements for criminal justice officers contained in Rule .0101 of this Section, every parole case analyst employed by an agency in North Carolina shall:

- (1) not have committed or been convicted of a felony; and
- (2) be a graduate of an accredited college or university, which is accepted by the American Council on Education(ACE) for the Commission on Recognition of Postsecondary Accreditation (CORPA) as accredited, and have attained at least the baccalaureate degree.

*History Note: Authority G.S. 17C-6;  
Eff. April 1, 1983;  
Amended Eff. August 1, 2000; December 1, 1987.*

**.0115 MINIMUM STANDARDS  
PROBATION/PAROLE INTENSIVE OFFICER**

In addition to the requirements for criminal justice officers contained in Rule .0101 of this Section, every probation/parole intensive officer employed by an agency in North Carolina shall:

- (1) not have committed or been convicted of a felony; and
- (2) be a graduate of an accredited college or university, which is accepted by the American Council on Education(ACE) for the Commission on Recognition of Postsecondary Accreditation (CORPA) as accredited, and have attained at least the baccalaureate degree.

*History Note: Authority G.S. 17C-6;  
Eff. February 1, 1987;  
Amended Eff. August 1, 2000.*

**SECTION .0300 - MINIMUM STANDARDS FOR  
CRIMINAL JUSTICE INSTRUCTORS**

**.0302 GENERAL INSTRUCTOR CERTIFICATION**

Certifications issued in this category after December 31, 1984 shall be limited to those topics which are not expressly incorporated under the Specific Instructor Certification category. Individuals certified under the general instructor category are not authorized to teach any of the subjects specified in Rule .0304, entitled "Specific Instructor Certification". To qualify for issuance of General Instructor Certification, an applicant shall demonstrate a combination of education and experience in criminal justice and proficiency in the instructional process to the satisfaction of the Commission. At a minimum, the applicant shall meet the following requirements for General Instructor Certification:

- (1) Present documentary evidence showing that the applicant:
  - (a) is a high school graduate, or has passed the General Education Development Test (GED) indicating high school equivalency, and has acquired four years of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system; or
  - (b) has been awarded an associate degree and has acquired three years of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system; or
  - (c) has been awarded a baccalaureate degree and has acquired two years of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system; or
  - (d) has been awarded a graduate/professional degree and has acquired one year of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system.
- (2) Present evidence showing successful completion of a commission-accredited instructor training program or an equivalent instructor training course utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise.
  - (a) applications for General Instructor Certification shall be submitted to the Standards Division within 60 days of the date the applicant successfully passed the state comprehensive examination administered at the conclusion of the commission-accredited instructor training program or an equivalent instructor training course utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise.
  - (b) persons having completed a commission-accredited instructor training course or an

equivalent instructor training course utilizing the Instructional Systems Design model, and international model with applications in education, military training, and private enterprise, and not having made application within 60 days of completion of the course shall complete a subsequent commission-accredited instructor training course in its entirety.

*History Note: Authority G.S. 17C-6;*

*Eff. January 1, 1981;*

*Amended Eff. August 1, 2000; July 1, 1991; December 1, 1987; October 1, 1985; January 1, 1985.*

**.0303 TERMS AND CONDITIONS OF GENERAL INSTRUCTOR CERTIFICATION**

(a) An applicant meeting the requirements for certification as a general instructor shall, for the first 12 months of certification, be in a probationary status. The General Instructor Certification, Probationary Status, shall automatically expire 12 months from the date of issuance.

(b) The probationary instructor will be eligible for full general instructor status, if the instructor through application at the end of the probationary period, submits to the Commission:

- (1) a favorable recommendation from a school director accompanied by certification on a commission-approved Instructor Evaluation Form that the instructor successfully taught a minimum of eight hours in a commission-accredited course or a commission-recognized in-service training course during the probationary year. The results of the student evaluation of the instructor must be considered by the school director when determining recommendation; or
- (2) a favorable written evaluation by a commission or staff member, based on an on-site classroom evaluation of the probationary instructor in a commission-accredited course or a commission-recognized in-service training course. Such evaluation will be certified on a commission-approved Instructor Evaluation Form. In addition, instructors evaluated by a commission or staff member must also teach a minimum of eight hours in a commission-accredited training course or a commission-recognized in-service training course.
- (c) The term of certification as a general instructor is two years from the date the Commission issues the certification. The certification may subsequently be renewed by the Commission for two-year periods. The application for renewal shall contain, in addition to the requirements listed in Rule .0302 of this Section, documentary evidence indicating that the applicant has remained active in the instructional process during the previous two-year period. Such documentary evidence shall include proof that the applicant has, within the two-year period preceding application for renewal, instructed a minimum of eight

hours in a commission-accredited training course or a commission-recognized in-service training course; and either

- (1) a favorable written recommendation from a school director accompanied by certification on a commission-approved Instructor Evaluation Form that the instructor successfully taught a minimum of eight hours in a commission-accredited training course or a commission-recognized in-service training course during the two-year period of general certification; or
- (2) a favorable evaluation by a commission or staff member, based on an on-site classroom evaluation of a presentation by the instructor in a commission-accredited training course or a commission-recognized in-service training course, during the two-year period of General Instructor Certification. In addition, instructors evaluated by a commission or staff member must also teach a minimum of eight hours in a commission-accredited training course or a commission-recognized in-service training course.

(d) All instructors shall remain active during their period of certification. If an instructor does not teach a minimum of eight hours during the period of certification, the certification shall not be renewed, and the instructor shall file application for General Instructor Certification, Probationary Status. Such applicants shall be required to meet the minimum requirements of Rule .0302 of this Section.

(e) The use of guest participants in a delivery of the Basic Law Enforcement Training Course is permissible. However, such guest participants are subject to the direct on-site supervision of a commission-certified instructor and must be authorized by the school director. A guest participant shall only be used to complement the primary certified instructor of the block of instruction and shall in no way replace the primary instructor.

(f) For purposes of this Section, "commission-recognized in-service training" shall mean any training for which the instructor is evaluated by a certified school director on a commission-approved Instructor Evaluation Form. Such training shall be objective based and documented by lesson plans designed consistent with the Basic Law Enforcement Training format and documented by departmental training records to include required post-test and testing methodology. The signature of the school director on the Commission-approved Instructor Evaluation Form shall verify compliance with this Rule.

*History Note: Authority G.S. 17C-6;*

*Eff. January 1, 1981;*

*Amended Eff. August 1, 2000; July 1, 1991; October 1, 1985; January 1, 1985, January 1, 1983.*

#### **.0304 SPECIALIZED INSTRUCTOR CERTIFICATION**

(a) The Commission may issue a Specialized Instructor Certification to an applicant who has developed specific

motor-skills and abilities by virtue of special training and demonstrated experience in one or more of the following topical areas:

- (1) Subject Control Arrest Techniques
- (2) First Responder
- (3) Firearms
- (4) Law Enforcement Driver Training
- (5) Physical Fitness
- (6) Firearms (DOC)
- (7) Unarmed Self-Defense (DOC/DYS)
- (8) Medical Emergencies (DYS)
- (9) Electrical and Hazardous Materials Emergencies

(b) To qualify for Specialized Instructor Certification, with the exception of the First Responder, Physical Fitness, Youth Services Medical Emergencies, and Electrical and Hazardous Materials Emergencies topical areas as outlined in Rule .0304 (d), (e), (f) and (g) of this Section, an applicant must meet the following requirements:

- (1) hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section; and
- (2) successfully complete the pertinent commission-approved specialized instructor training course; and
- (3) obtain the recommendation of a commission-recognized school director.

(c) To qualify for and maintain any Specialized Instructor Certification, an applicant must possess a valid CPP Certification that included cognitive and skills testing.

(d) To qualify for Specialized Instructor Certification in the First Responder topical area, an applicant is not required to meet the standards for issuance of General Instructor Certification, but must qualify through one of the following two options:

- (1) The first option is:
  - (A) hold current CPR instructor certification through either the American Red Cross or the American Heart Association; and
  - (B) hold current basic Emergency Medical Technician certification; and
  - (C) have successfully completed the Department of Transportation's 40 hour EMT Instructor Course or equivalent within the last three years or hold a current North Carolina teaching certificate.
- (2) The second option is:
  - (A) hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section; and
  - (B) hold current CPR instructor certification through either the American Red Cross or the American Heart Association; and
  - (C) hold current basic EMT certification.

(e) To qualify for Specialized Instructor Certification in the Physical Fitness topical area, an applicant may become certified through one of the following two methods:

(1) The first method is:

- (A) hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section; and
- (B) successfully complete the pertinent commission-approved specialized instructor training course; and
- (C) obtain the recommendation of a commission-recognized school director.

(2) The second method is:

- (A) successfully complete the pertinent commission-approved specialized instructor training course; and
- (B) obtain the recommendation of a commission-recognized school director; and
- (C) in addition to the requirements of both (2), (A) and (B) of this Rule, the applicant must meet one of the following qualifications:
  - (i) hold a current and valid North Carolina Teacher's Certificate and hold a minimum of a baccalaureate degree in physical education and be actively teaching in physical education topics; or
  - (ii) be presently instructing physical education topics in a community college, college or university and hold a minimum of a baccalaureate degree in physical education.

(f) To qualify for Specialized Instructor Certification in the Electrical and Hazardous Materials Emergencies topical area, an applicant is not required to meet the standards for issuance of General Instructor Certification, but must qualify through one of the following two options:

(1) The first option is:

- (A) hold current instructor certification as a First Responder Awareness Level Hazardous Materials instructor; and
- (B) have successfully completed the Fire Service Instructor Methodology Course or the equivalent utilizing the Instructional Systems model, an international model with applications in education, military training, and private enterprise.

(2) The second option is:

- (A) hold General Instructor Certification, either probationary status or full general instructor status, as specified in Rule .0303 of this Section; and
- (B) have successfully completed a First Responder Awareness Level Hazardous Materials course.

(g) To qualify for Specialized Instructor Certification in the State Youth Services Medical Emergencies topical area, an applicant is not required to meet the standards for issuance of General Instructor Certification, but must qualify in the following manner:

(1) have successfully completed a commission-accredited

basic instructor training course or an equivalent instructor training course utilizing the Instructional Systems Design model, an international model with applications in education, military training, and private enterprise, within the 12 month period preceding application; and

(2) hold current instructor certification in CPR and First Aid by fulfillment of the American Red Cross Instructor requirements.

*History Note: Authority G.S. 17C-6;*

*Eff. January 1, 1981;*

*Amended Eff. August 1, 2000; July 1, 1991; March 1, 1990; July 1, 1989; December 1, 1987.*

## **SECTION .0400 - MINIMUM STANDARDS FOR COMPLETION OF TRAINING**

### **.0406 COMPREHENSIVE WRITTEN EXAMINATION BASIC LAW ENFORCEMENT TRAINING**

(a) At the conclusion of a school's offering of the Basic Law Enforcement Training Course in its entirety, the Commission shall administer a comprehensive written examination to each trainee who has satisfactorily completed all of the required course work. A trainee shall not be administered the comprehensive written examination until such time as all of the course work is completed.

(b) The examination shall be comprised of six units as specified in 12 NCAC 9B.0205(a). Each unit is designed to test the trainees' proficiency in that unit.

(c) The Commission's representative shall submit to the school director within five days of the administration of the examination a report of the results of the test for each trainee examined.

(d) A trainee shall have successfully completed the comprehensive written examination upon achieving a minimum of 70 percent correct answers on each of the six units as prescribed in 12 NCAC 9B .0406(b).

(e) A trainee who has fully participated in a scheduled delivery of an accredited training course and has demonstrated satisfactory competence in each motor-skill or performance area of the course curriculum but has failed to achieve the minimum score of 70 percent on no more than two units of the Commission's comprehensive written examination may request the Director of the Standards Division to authorize a re-examination of the trainee in only those units for which he/she failed to make a passing score of 70 percent:

- (1) The trainee's request for re-examination shall be made in writing on the Commission's form and shall be received by the Standards Division within 30 days of the examination.
- (2) The trainee's request for re-examination shall include the favorable recommendation of the school director who administered the course(s).
- (3) A trainee shall have, within 90 days of the original

examination(s), only one opportunity for re-examination and shall satisfactorily complete the subsequent unit examination in its entirety.

(4) The trainee will be assigned in writing by the Director of the Standards Division a place, time, and date for re-examination.

(5) Should the trainee on re-examination not achieve the prescribed minimum score on the examination, the trainee may not be given successful course completion and shall enroll and successfully complete a subsequent offering of the Basic Law Enforcement Training Course in its entirety.

(f) A trainee who fails to achieve a passing score of 70 percent on three or more of the units as prescribed in 12 NCAC 9B .0406(b) shall not be given the opportunity for re-examination on those units; and shall enroll in and successfully complete a subsequent offering of the Basic Law Enforcement Training Course in its entirety.

*History Note: Authority G.S. 17C-6; 17C-10.; Eff. January 1, 1981; Amended Eff. August 1, 2000; July 1, 1989; July 1, 1985; January 1, 1983.*

#### **.0414 COMPREHENSIVE WRITTEN EXAM -- SPECIALIZED INSTRUCTOR TRAINING**

(a) At the conclusion of a school's offering of the "Specialized Firearms Instructor Training" course, "Specialized Driver Instructor Training" course, "Specialized Subject Control Arrest Techniques Instructor Training" course, "Specialized Physical Fitness Instructor Training" course, the "Radar Instructor Training Course," the "Criminal Justice TD/SMI Instructor Training Course," the "Re-Certification Training for Radar Instructors" course, and the "Re-Certification Training for TD/SMI Instructors" course, in its entirety, the Commission shall administer a comprehensive written examination to each trainee who has satisfactorily completed all of the required course work. A trainee cannot be administered the comprehensive written examination until such time as all of the pertinent course work is completed.

(b) The examination shall be an objective test consisting of multiple-choice, true-false, or similar questions covering the topic areas contained in the accredited course curriculum.

(c) The Commission's representative shall submit to the school director within five days of the administration of the examination a report of the results of the test for each trainee examined.

(d) A trainee shall successfully complete the comprehensive written examination if he/she achieves a minimum of 75 percent correct answers.

(e) A trainee who fails to achieve the minimum score of 75 percent on the Commission's comprehensive written examination shall not be given successful course completion and shall enroll and successfully complete a subsequent offering of the specialized instructor training course in its entirety before further examination may be permitted.

*History Note: Authority G.S. 17C-6; 17C-10; Eff. February 1, 1987; Amended Eff. August 1, 2000; July 1, 1989.*

### **CHAPTER 10 - SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

#### **SUBCHAPTER 10B - N.C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

##### **SECTION .1400 - PROFESSIONAL CERTIFICATE PROGRAM FOR RESERVE DEPUTY SHERIFFS**

###### **.1402 GENERAL PROVISIONS**

(a) In order to be eligible for one or more of the professional certificates, a reserve deputy sheriff shall first meet the following preliminary qualifications:

- (1) Be an appointed reserve deputy sheriff who holds valid General or Grandfather Certification. A reserve deputy sheriff serving under a probationary certification is not eligible for consideration.
- (2) Be familiar with and subscribe to the Law Enforcement Code of Ethics as promulgated by the International Association of Chiefs of Police to include any subsequent editions or modifications thereto. A copy of the Code of Ethics may be obtained at no cost from the Sheriffs' Standards Division, North Carolina Department of Justice, Post Office Box 629, Raleigh, North Carolina 27602-0629.
- (3) The applicant shall be a sworn law enforcement officer of a North Carolina Sheriff's Office, as certified in writing by the sheriff; or be a sworn law enforcement officer of an agency who must be appointed by the sheriff in order to perform his duties as certified in writing by the Sheriff.
- (4) Only training or experience gained in an officer's area of expertise will be eligible for application to this program. All training must be completed during the time of service as a sworn law enforcement officer, with the exception of Basic Law Enforcement Training.

(b) Certificates are awarded based upon a formula which combines law enforcement training and actual participation as a reserve deputy sheriff in law enforcement functions. Points are computed in the following manner:

- (1) A minimum of ninety-six (96) hours achieved over a one-year period of participation in law enforcement functions, by having been called into reserve duty by the appointing sheriff, shall equal one year of reserve service;
- (2) Twenty hours of commission-approved law enforcement training shall equal one law enforcement training point;
- (3) Service as a reserve deputy sheriff shall be acceptable for consideration; or an officer who is otherwise ineligible to receive an equivalent certificate through

the Professional Certificate Program for Sheriffs and Deputy Sheriffs as set out in 12 NCAC 10B .1000 may receive a certificate under this program, in which case one year of full-time service may be substituted for one year of reserve service in computing eligibility under this section.

*History Note: Authority G.S. 17E;  
Eff. August 1, 2000.*

**.1403 BASIC RESERVE DEPUTY SHERIFF PROFESSIONAL CERTIFICATE**

In addition to the qualifications set forth in Rule .1402, an applicant for the Basic Reserve Deputy Sheriff Certificate shall:

- (1) have no less than one year of reserve service;
- (2) and have either:
  - (A) successfully completed a commission-accredited basic law enforcement training course;
  - (B) any remedial training as required by the Commission for general certification; or
- (3) have completed a minimum of 160 hours of training in the field of law enforcement.

*History Note: Authority G.S. 17E;  
Eff. August 1, 2000.*

**.1404 INTERMEDIATE RESERVE DEPUTY SHERIFF CERTIFICATE**

In addition to the qualifications set forth in Rule .1402, applicants for the Intermediate Reserve Deputy Sheriff Certificate shall possess or be eligible to possess the Basic Reserve Deputy Sheriff Certificate and shall have acquired the following of law enforcement training points and years of service as a reserve law enforcement officer:

- (1) 8 years of reserve officer law enforcement experience; and
- (2) 35 points minimum reserve officer law enforcement training.

*History Note: Authority G.S. 17E;  
Eff. August 1, 2000.*

**.1405 ADVANCED RESERVE DEPUTY SHERIFF CERTIFICATE**

In addition to the qualifications set forth in Rule .1402, applicants for the Advanced Deputy Sheriff Certificate shall possess or be eligible to possess the Intermediate Reserve Deputy Sheriff Certificate and shall have acquired the following law enforcement training points and years of service as a reserve law enforcement officer:

- (1) 12 years of reserve officer law enforcement experience; and
- (2) 50 points minimum total of reserve officer law enforcement training.

*History Note: Authority G.S. 17E;  
Eff. August 1, 2000.*

**TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

**CHAPTER 3 - MARINE FISHERIES**

**SUBCHAPTER 3I - GENERAL RULES**

**SECTION .0100 - GENERAL RULES**

**.0107 ENDANGERED OR THREATENED SPECIES**

(a) Pursuant to a cooperative agreement entered into on February 5, 1979, by the Department of Environment and Natural Resources, the Marine Fisheries Commission, and the Wildlife Resources Commission, the Wildlife Resources Commission will exercise regulatory jurisdiction over any species of sea turtle, and their eggs and nests, consistent with designation of such species as endangered or threatened by the U.S. Fish and Wildlife Service. As provided by said agreement, the law enforcement officers of both the Marine Fisheries Division and the Wildlife Resources Commission have jurisdiction to enforce any State laws and rules, including those contained in 15A NCAC 10I, relating to endangered or threatened species of sea turtles and their eggs and nests.

(b) The Fisheries Director may close or restrict by proclamation any coastal waters with respect to taking or attempting to take any or all kinds of marine resources when the method (equipment) used is a serious threat to an endangered or threatened species listed pursuant to 16 USC 1533(c). Copies of this list may be obtained from the Division of Marine Fisheries, PO Box 769, 3441 Arendell St., Morehead City, North Carolina 28557-0769.

(c) It is unlawful to use any commercial fishing equipment in the sea turtle sanctuary located in the Atlantic Ocean adjacent to Onslow County as described in 15A NCAC 3R .0101 from June 1 through August 31, except that the Fisheries Director may, by proclamation, modify the sanctuary within the described area and vary implementation between specified dates for the protection of the sea turtle population.

*History Note: Authority G.S. 113-132; 113-134; 113-134.1; 113-182; 113-189; 143B-289.52;  
Eff. January 1, 1991;*

*Recodified from 15A NCAC 3I .0007 Eff. December 17, 1996;  
Amended Eff. July 1, 1999; May 1, 1997.*

**SUBCHAPTER 3Q - JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS**

**SECTION .0100 - GENERAL REGULATIONS: JOINT**

**.0106 APPLICABILITY OF RULES: JOINT WATERS**

(a) All coastal fishing laws and regulations administered by the Department of Environment and Natural Resources and the

Marine Fisheries Commission apply to joint waters except as otherwise provided, and shall be enforced by fisheries enforcement officers.

(b) The following inland fishing laws and regulations administered by the Wildlife Resources Commission apply to joint waters and shall be enforced by wildlife enforcement officers:

- (1) all laws and regulations pertaining to inland game fishes;
- (2) all laws and regulations pertaining to inland fishing license requirements for hook and line fishing;
- (3) all laws and regulations pertaining to hook and line fishing except as hereinafter provided.

*History Note: Authority G.S. 113-132; 113-134; 143B-289.52;*

*Eff. January 1, 1991;*

*Amended Eff. July 1, 1999.*

## CHAPTER 7 - COASTAL MANAGEMENT

### SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

#### SECTION .2400 - GENERAL PERMIT FOR PLACEMENT OF RIPRAP FOR WETLAND PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS

##### .2404 GENERAL CONDITIONS

(a) This permit authorizes only the construction of wetland protection structures conforming to the standards herein.

(b) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources (DENR) to make periodic inspections at any time deemed necessary in order to be sure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) There shall be no unreasonable interference with navigation or use of the waters by the public by the existence of the riprap structure authorized herein.

(d) This permit shall not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(e) This permit does not eliminate the need to obtain any other required state, local, or federal authorization.

(f) Development carried out under this permit must be consistent with all local requirements, AEC Guidelines, and local land use plans current at the time of authorization.

*History Note: Authority G.S. 113A-107; 113A-118.1;*

*Eff. August 1, 2000.*

## CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

### SUBCHAPTER 10B - HUNTING AND TRAPPING

#### SECTION .0100 - GENERAL REGULATIONS

##### .0109 CHASING DEER BY DOGS IN CERTAIN COUNTIES

It is unlawful to allow dogs to run or chase deer or to attempt to take deer with dogs at any time in Alamance County south of I-85; Orange County south of I-85; Chatham County; Lee County; Wake County south of NC 98; and in and west of Rockingham, Guilford, Randolph and Montgomery Counties and that part of Anson County west of NC 742.

Note: See 15A NCAC 10D .0103 which prohibits any hunting with dogs on game lands during the season for hunting deer with guns in and west of these counties.

*History Note: Authority G.S. 113-134; 113-291.5;*

*Eff. February 1, 1976;*

*Amended Eff. July 1, 1999; July 1, 1991; August 1, 1980; August 1, 1978; August 1, 1977.*

#### SECTION .0200 - HUNTING

##### .0204 WILD BOAR (BOTH SEXES)

(a) Open Seasons: Monday on or nearest October 15 to the Saturday before Thanksgiving, and the third Monday after Thanksgiving to January 1, except on bear sanctuaries located on the game lands, where the boar seasons are controlled by 15A NCAC 10D .0103.

(b) Bag Limits: Daily, one; possession, one; season, two.

(c) Kill Reports. The carcass of each wild boar shall be tagged and the kill reported as provided by 15A NCAC 10B .0113.

*History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.2;*

*Eff. February 1, 1976;*

*Amended Eff. July 1, 1999; July 1, 1995; July 1, 1993; July 1, 1987; July 1, 1986.*

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS

### CHAPTER 14 - BOARD OF COSMETIC ART EXAMINERS

#### SUBCHAPTER 14A - DEPARTMENTAL RULES

#### SECTION .0100 - ORGANIZATIONAL RULES

##### .0101 DEFINITIONS

The following definitions apply in this Chapter:

- (1) "Beauty Establishment" refers to both cosmetic art schools and cosmetic art shops.
- (2) "Cosmetology School" is any cosmetic art school which teaches cosmetic art as defined by G.S. 88B-2(5), but is not a manicurist school.
- (3) "Manicurist School" is a cosmetic art school which teaches only the cosmetic arts of manicuring.
- (4) "Manicurist Student" is a student in any cosmetic art school whose study is limited to the manicurist curriculum set forth in 21 NCAC 14K .0102.
- (5) "Successful Completion" is the completion of an approved cosmetic art curriculum with a minimum grade of "C" or 70%, whichever is deemed as passing by the cosmetic arts of school.
- (6) "Esthetician School" is any cosmetic art school which teaches only the cosmetic arts of skin care.
- (7) "Esthetician Student" is a student in any cosmetic art school whose study is limited to the esthetician curriculum set forth in 21 NCAC 14O .0102.

*History Note: Authority G.S. 88B-2; 88B-4;*

*Eff. February 1, 1976;*

*Amended Eff. June 1, 1993; October 1, 1991, May 1, 1991;*

*January 1, 1989;*

*Temporary Amendment Eff. January 1, 1999;*

*Amended Eff. August 1, 2000.*

### **.0103 OFFICE HOURS**

The office hours for the board are 8:00 a.m. to 5:00 p.m., Monday through Friday. The office is closed on state holidays.

*History Note: Authority G.S. 88B-4*

*Eff. February 1, 1976;*

*Amended Eff. January 1, 1989;*

*Amended Eff. August 1, 2000.*

### **SUBCHAPTER 14C - CONTESTED CASES**

#### **SECTION .0200 - REQUEST FOR A HEARING**

### **.0202 PREREQUISITES**

Before a hearing request is made, a person may attempt to resolve the problem with the Board informally by contacting the Chairman of the North Carolina State Board of Cosmetic Art Examiners, 1201-110 Front St., Raleigh, North Carolina 27609.

*History Note: Authority G.S. 88B-4; 150B-38(h);*

*Eff. February 1, 1976;*

*Amended Eff. August 1, 2000; July 1, 1993; August 1, 1988.*

### **SUBCHAPTER 14F - RULES AND REGULATIONS GOVERNING THE LICENSING OF BEAUTY SALONS**

#### **SECTION .0100 - LICENSING OF BEAUTY SALONS**

### **.0101 APPLICATION FOR SALON LICENSE**

Persons desiring to continue to operate or open a cosmetic art shop, or to reopen a cosmetic art shop which has been closed more than 90 days in the State of North Carolina shall make application to the North Carolina State Board of Cosmetic Art Examiners on an application form to be furnished by the Board.

*History Note: Authority G.S. 88B-14;*

*Eff. February 1, 1976;*

*Amended Eff. August 1, 2000; April 1, 1988.*

### **.0105 NEWLY ESTABLISHED RESIDENTIAL SALONS**

(a) A cosmetic art shop shall be separate and apart from any building or room used for any other business or purpose, separated by a solid wall of at least seven feet in height and must have a separate outside entrance.

(b) A newly established cosmetic art shop, shall be separate and apart from any building or room used for living, dining or sleeping and shall be separate and apart from any other room used for any other purpose by a solid wall of ceiling height, making separate and apart rooms used for a cosmetic art shop. All entrances to the cosmetic art shop shall be through solid, full length doors installed in solid walls of ceiling height.

*History Note: Authority G.S. 88B-4;*

*Eff. February 1, 1976;*

*Amended Eff. August 1, 2000; May 1, 1998.*

### **SUBCHAPTER 14G - REQUIREMENTS FOR THE ESTABLISHMENT OF COSMETIC ART SCHOOLS**

#### **SECTION .0100 - PERMANENT FILES**

### **.0103 SPACE REQUIREMENTS**

(a) The Cosmetic Art Board shall issue letters of approval only to cosmetology schools that have at least 2800 square feet of inside floor space for 20 stations or 4200 square feet of inside floor space for 30 stations located within the same building. An additional 140 square feet of floor space shall be required for each station above 20 stations, up to and including a total of 30 stations. Thereafter, an additional 40 square feet shall be required for each station in excess of 30 stations. For purpose of this Rule, the day and night classes shall be counted as separate enrollments. A school may have a recitation room located in an adjacent building or another building within 500 feet of the main cosmetology building.

(b) Each cosmetology school must have no less than 20 hairdressing stations, arranged to accommodate not less than 20 students and arranged so that the course of study and training cosmetology, as prescribed 21 NCAC 14J .0306, may be given. All stations must be numbered numerically.

(c) Cosmetology schools must have a beginner department containing sufficient space to comfortably accommodate at least ten students and having at least 40 inches between mannequins.

(d) The Board shall issue a letter of approval only to

manicurist schools that have at least 1,000 square feet of inside floor space located within the same building.

(e) Manicurist schools with 1,000 square feet of inside floor space shall enroll no more than 20 students at one time, and for each student enrolled in addition to 20 students, 50 square feet of inside floor space must be provided.

(f) Manicurist schools must have 10 manicurist tables and chairs a minimum of two feet apart, side to side, arranged to comfortably accommodate ten students.

(g) The Board shall issue a letter of approval only to esthetician schools that have at least 1,500 square feet of inside floor space located within the same building.

(h) Esthetician schools with 1,500 square feet of inside floor space shall enroll no more than 20 students at one time, and for each student enrolled in addition to 20 students, 50 square feet of inside floor space must be provided.

*History Note: Authority G.S. 88B-4;*

*Eff. February 1, 1976;*

*Amended Eff. April 1, 1995; January 1, 1992; May 1, 1991;*

*January 1, 1989; May 1, 1988;*

*Temporary Amendment January 1, 1999;*

*Amended Eff. August 1, 2000.*

## **SUBCHAPTER 14I - OPERATIONS OF SCHOOLS OF COSMETIC ART**

### **SECTION .0100 - RECORD KEEPING**

#### **.0109 SUMMARY OF COSMETIC ART EDUCATION**

(a) The manager of each cosmetic art school must compile, from the school's records, a summary of hours, live model/mannequin performance completions, date of enrollment, and last date of attendance. Upon graduation or within 30 days after the student's graduation date, the cosmetic art school must present to the student his or her examination application.

(b) This examination application must be signed by the owner/director, a teacher, and the student and must have the seal of the school affixed.

(c) The examination application must be prepared on a form furnished by the Board.

*History Note: Authority G.S. 88B-4; 88B-16;*

*Eff. February 1, 1976;*

*Amended Eff. August 1, 2000; August 1, 1998; May 1, 1991;*

*January 1, 1989; April 1, 1988.*

## **SUBCHAPTER 14K - MANICURIST CURRICULUM**

### **SECTION .0100 - MANICURIST CURRICULUM**

#### **.0102 COURSE OF STUDY**

(a) The 300 hours in classes required for licensure as a manicurist must include at least 260 hours of "classroom work" as described in Paragraph (c) and at least 40 hours of supervised

"live model performances" as set forth in 21 NCAC 14K .0107(a).

(b) The following amount of classroom work is required by the Board before taking the manicurist examination:

- (1) 30 hours in manicuring, including trimming, filing, shaping, decorating, and arm and hand massage;
- (2) 140 hours in sculptured and other artificial nails;
- (3) 10 hours in pedicuring;
- (4) 20 hours in theory and salesmanship as it relates to manicuring;
- (5) 30 hours in the procedures and methods of sanitation, including the study of the Federal Environmental Protection Agency's disinfectant guidelines and the recommendations on the Material Safety Data Sheets prepared by the manufacturers on all products used by the school's students in the live model performance set forth in 21 NCAC 14K .0107(a);
- (6) 30 hours in the study of bacteriology including communicable diseases and the requirements of The Pure Food and Drug Law for creams and lotions.

(c) Classroom work shall include lectures on the subject as well as demonstrations, questions and answers on textbooks, written examinations, and in-class practice of procedures and methods but not live model performances as described by 21 NCAC 14K .0107(b).

*History Note: Authority G.S. 88B-4; 88B-10;*

*Eff. February 1, 1976;*

*Amended Eff. December 1, 1990; January 1, 1989; April 1, 1988;*

*Temporary Amendment Eff. January 1, 1999;*

*Amended Eff. August 1, 2000.*

#### **.0107 LIVE MODEL PERFORMANCES**

(a) In completing the 40 hours of live model performances required by 21 NCAC 14K .0102(b), all manicurist students shall complete the following minimum number of live model performances during the manicurist course under the supervision of a licensed cosmetic art teacher before taking the manicurist examination:

- (1) 15 manicures, including trimming, filing, and shaping; decorating; and arm and hand massage;
- (2) 100 applications or repair of sculptured or other artificial nails; and
- (3) 4 pedicures.

(b) No manicurist student may perform any live model performances until he or she has completed 16 hours of classroom work, as defined in 21 NCAC 14K .0102(d), including at least four hours of bacteriology and four hours of the procedures and methods of sanitation.

(c) Live model performances are the rendering of the required service on a live person other than himself or herself. They do not include performing the service on a mannequin.

*History Note: Authority G.S. 88B-4; 88B-10;*

*Eff. July 1, 1990;*

*Amended Eff. April 1, 1991; December 1, 1990;  
Temporary Amendment Eff. January 1, 1999;  
Amended Eff. August 1, 2000.*

## **SUBCHAPTER 14L - COSMETIC ART TEACHERS**

### **SECTION .0200 - TEACHER PROGRAM AND CURRICULUM**

#### **.0216 TEACHER TRAINING CURRICULUM**

(a) To meet the approval of the Board, a cosmetologist teacher training course must consist of at least 800 hours of instruction in theory and practical application, divided as follows:

- (1) One hundred fifty hours of instruction on methods of teaching and the laws governing cosmetology, to include the following topics:
  - (A) instruction in teaching techniques;
  - (B) instruction in preparing lesson plans;
  - (C) instruction in preparing class lectures and presentations;
  - (D) instruction in preparing examinations; and
  - (E) G.S. 88B and the Rules of the Board.
- (2) Six hundred fifty hours of practice teaching, to include the following:
  - (A) conducting theory classes from prepared lesson plans;
  - (B) preparing and giving examinations; and
  - (C) giving practical demonstrations.

(b) To meet the approval of the Board, a manicurist teacher training course must consist of at least 320 hours of instruction in theory and practical application, divided as follows:

- (1) One hundred and fifteen hours of instruction on methods of teaching and the laws governing manicuring, to include the following topics:
  - (A) instruction in teaching techniques;
  - (B) instruction in preparing lesson plans;
  - (C) instruction in preparing class lectures and presentations;
  - (D) instruction in preparing examinations;
  - (E) instruction in chemical usage; and
  - (F) G.S. 88B and the rules of the Board.
- (2) Two hundred and five hours of practice teaching, to include the following:
  - (A) conducting theory classes from prepared lesson plans;
  - (B) preparing and giving examinations; and
  - (C) giving practical demonstrations.

(c) To meet the approval of the Board, a esthetician teacher training course must consist of at least 650 hours of instruction in theory and practical application, divided as follows:

- (1) One hundred and twenty hours of instruction on methods of teaching and the laws governing skin care to include the following topics:
  - (A) instruction in teaching techniques;
  - (B) instruction in preparing lesson plans;

- (C) instruction in preparing class lectures and presentations;
- (D) instruction in preparing examinations;
- (E) instruction in chemical usage; and
- (F) G.S. 88B and the rules of the Board.

- (2) Five hundred and thirty hours of practice teaching, to include the following:
  - (A) conducting theory classes from prepared lesson plans;
  - (B) preparing and giving examinations; and
  - (C) giving practical demonstration.

*History Note: Authority G.S. 88B-4; 88B-11;*

*Eff. April 1, 1991;*

*Amended Eff. March 2, 1992;*

*Temporary Amendment Eff. January 1, 1999;*

*Amended Eff. August 1, 2000.*

## **SUBCHAPTER 14N - EXAMINATIONS**

### **SECTION .0100 - GENERAL PROVISIONS**

#### **.0101 TIME AND PLACE OF EXAMINATIONS**

The Board shall announce the time and place for holding each examination at least ten work days prior to the date thereof.

*History Note: Authority G.S. 88B-7(1); 88B-8(1); 88B-18; 88B-20(a); 88-4;*

*Eff. June 1, 1992;*

*Amended Eff. August 1, 2000.*

#### **.0102 INITIAL APPLICATIONS AND FEES**

(a) All applications for examination must be on a form provided by the Board.

(b) If special arrangements are required, the initial application or request for re-examination must include, an application for special arrangements pursuant to 21 NCAC 14N .0107.

(c) The application must be filed with the Board and accompanied by the applicable examination fee. If the application is not signed or is inadequately completed, or the proper supporting documentation is not enclosed, or the applicable fee is not paid, the application shall be deemed incomplete and returned.

(d) If the examination fee is paid by check or money order, the check or money order shall be made payable to the "Board of Cosmetic Art Examiners".

(e) If possible, the Board shall schedule candidates whose properly completed applications are received by the 10th of one month to take the examination during the following month. The Board shall assign the candidate to the location nearest to the candidate that is available for that month.

*History Note: Authority G.S. 88B-4; 88B-7(1); 88B-8(1); 88B-18; 88B-20(a);*

*Eff. June 1, 1992;*

*Amended Eff. August 1, 2000.*

**.0103 GENERAL EXAMINATION INSTRUCTIONS**

(a) All candidates scheduled for an examination shall bring:

- (1) their social security card,
- (2) a form of identification with a current picture,
- (3) a kit containing all supplies necessary to perform all services required by the examination,
- (4) a No. 2 pencil, and
- (5) admission letter.

(b) Candidates for the cosmetologist examination shall bring a mannequin that conforms with applicable requirements set forth in 21 NCAC 14N .0105.

(c) Candidates for the cosmetologist, manicurist and esthetician teacher examination shall bring whatever supplies are suitable for presenting the theory lecture of their pre-assigned lecture topic and demonstrating the pre-assigned practical demonstration topic.

(d) Candidates for the esthetician and esthetician teachers examination shall bring a live model.

(e) Candidates shall not be accepted after roll call.

(f) No candidate shall bring books, electronic devices, calculators, papers, or reference materials of any kind into the testing room, except as provided in Paragraph (c) and (g) of this Rule.

(g) Cosmetology teacher, manicurist teacher and esthetician teacher candidates may use visual aids, prepared in advance, during the practical examination. During the lesson planning part of the examination, only a text book brought by that candidate may be used.

*History Note: Authority G.S. 88B-4; 88B-7; 88B-9; 88B-10; 88B-11; 88B-18;  
Eff. June 1, 1992;  
Temporary Amendment Eff. January 1, 1999;  
Amended Eff. August 1, 2000.*

**.0104 LIVE MODEL REQUIREMENTS**

(a) If, a cosmetology teacher candidate has chosen to bring a live model for the examination; the model must:

- (1) be at least 18 years old;
- (2) submit to all cosmetic art services required by the examination; and
- (3) agree to a haircut of at least one to one and one-half inches during the examination. Hair must be of sufficient length to perform requirements after cutting. Prior to the examination, the model's hair must have already been shampooed, set and dried.

(b) A model brought by a candidate for the manicurist or manicurist teacher examination, pursuant to 21 NCAC 14N .0103(d) shall:

- (1) be 18 years old,
- (2) submit to all cosmetic art services required by examination.

(c) A model brought by a candidate for the esthetician or esthetician teachers examination pursuant to 21 NCAC 14N .0103(e) shall:

- (1) be 18 years old.

- (2) submit to all operations of esthetics.
- (d) Cosmetic art school or shop owners, cosmetologists or apprentice cosmetologists, manicurists, estheticians, cosmetology, manicurist, or esthetician teachers, cosmetic art shop operators, and present or former cosmetology or manicurist students may not sit as models.
- (e) No model may sit for more than one candidate at one exam.

*History Note: Authority G.S. 88B-4; 88B-11; 88B-18;  
Eff. June 1, 1992;  
Amended Eff. August 1, 1998;  
Temporary Amendment Eff. January 1, 1999;  
Amended Eff. August 1, 2000.*

**.0105 MANNEQUIN REQUIREMENTS**

If, pursuant to 21 NCAC 14N .0103(b) and (c), a candidate has chosen to bring a mannequin for the examination, the mannequin's hair shall be of sufficient length for the candidate to perform at least a one to one and one-half inch haircut. Hair shall be of sufficient length to perform requirements after cutting. The candidate shall bring a holder for the mannequin.

*History Note: Authority G.S. 88B-4; 88B-11;  
Eff. June 1, 1992;  
Amended Eff. August 1, 2000; June 1, 1993.*

**.0110 PASSING GRADES FOR EXAMINATION**

Candidates shall make the following grades on both the practical and theory sections of the examination:

- (1) For licensure as a cosmetologist, 75 percent;
- (2) For licensure as an apprentice cosmetologist, 70 percent;
- (3) for licensure as a cosmetology teacher .85 percent;
- (4) For licensure as a manicurist teacher, 85 percent;
- (5) For licensure as a manicurist, 75 percent;
- (6) For licensure as a esthetician, 75 percent; and
- (7) For licensure as a esthetician teacher, 85 percent.

*History Note: Authority G.S. 88B-4; 88B-7(2); 88B-8(2); 88B-9(2); 88B-10(2); 88B-11(b)(3); 88B-11(c)(3); 88B-11(d)(3);  
Eff. June 1, 1992;  
Temporary Amendment Eff. January 1, 1999;  
Amended Eff. August 1, 2000.*

**.0112 REVIEW OF EXAMINATION**

(a) A candidate who has failed the practical section of an examination may upon written request receive a breakdown of the practical examination grades. A candidate may not receive a breakdown of the theory section of an examination.

(b) A candidate who has passed both sections of an examination at any level may not receive a breakdown of his examination grades.

*History Note: Authority G.S. 88B-4; 88B-8(2); 88B-10(2);*

88B-18; 93B-8;

*Eff. June 1, 1992;*

*Amended Eff. August 1, 2000; January 1, 1996.*

## SUBCHAPTER 14O - ESTHETICIAN CURRICULUM

### SECTION .0100 - ESTHETICIAN CURRICULUM

#### .0102 COURSE OF STUDY

The following course outline is required by the Board before taking the esthetician examination:

- (1) orientation,
- (2) anatomy/physiology,
- (3) hygiene/sterilization/first aid,
- (4) chemistry,
- (5) client consultation,
- (6) facial/body treatment (cleansing, massage, masks),
- (7) hair removal,
- (8) basic dermatology,
- (9) machines, electricity, apparatus,
- (10) aromatherapy,
- (11) nutrition,
- (12) business management,
- (13) make-up/color theory
- (14) professional ethics.

*History Note: Authority G.S. 88B- 4;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

#### .0103 EQUIPMENT AND INSTRUMENTS

(a) An Esthetician school shall be equipped with the following minimum equipment:

- (1) 3 facial treatment chairs, treatment tables, or hydraulic treatment chairs,
- (2) 3 esthetician's stools,
- (3) 1 facial vaporizer,
- (4) 1 galvanic current apparatus,
- (5) 1 infra-red lamp,
- (6) 1 woods lamp,
- (7) 1 footed magnifying lamp or magnifying lamp that attaches to the wall,
- (8) 1 hair removal wax system,
- (9) 1 thermal wax system,
- (10) 1 suction machine,
- (11) 1 exfoliation (brushes),
- (12) table for machines,
- (13) lavatory with hot and cold running water in the treatment area.

(b) All equipment shall be maintained in a sanitary, safe operating order at all times.

(c) The minimum requirement for a school of cosmetology desiring to include a department of esthetics in its training program shall be at least one of each item specified in Paragraph (a).

(d) Each esthetician student shall be supplied with:

- (1) cape,

- (2) spatulas,
- (3) astringents,
- (4) tweezers,
- (5) cotton pads,
- (6) make up supplies,
- (7) sponges,
- (8) all purpose cream,
- (9) fumigant.

*History Note: Authority G.S. 88B-4;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

#### .0106 LIVE MODEL PERFORMANCES

(a) All esthetician students shall complete the following minimum number of live model performances during the esthetics course under the supervision of a licensed cosmetologist or esthetician teacher before taking the esthetician examination:

- (1) Facials:
  - (a) 40 Manual (skin analysis, cleansing, scientific manipulations, packs and masks).
- (B) 20 Electrical (the use of electrical modalities, including dermal lights, and electrical apparatus for facials and skin care);

- (2) 50 Eyebrow arching and hair removal;
- (3) 40 Make-up (skin analysis, complete and corrective make-up).

(b) A minimum of 60 hours of technical and practical instruction in application areas are required prior to conducting performances on the public.

*History Note: Authority G.S. 88B-4;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

## SUBCHAPTER 14P - CIVIL PENALTY

### SECTION .0100 - CIVIL PENALTY

#### .0101 SCHEDULE OF CIVIL PENALTIES

The rules in this Subchapter establish the schedule of civil penalties required by G.S. 88B-29(c). The amounts stated are the presumptive amounts which may be modified in accordance with G.S. 88B-29(b). Those violations that are 1<sup>st</sup> offense correctable are identified with the word "warning" appended to it. If the offense is not corrected within the 30 day time allotted, the presumptive civil penalty in parenthesis shall apply.

*History Note: Authority G.S. 88B-4; 88B-29;*

*Temporary Adoption Eff. January 1,1999;*

*Eff. August 1, 2000.*

#### .0102 QUALIFICATIONS FOR LICENSING TEACHERS

The presumptive civil penalty for submitting false or

fraudulent documentation on the application for licensure as a teacher is:

(1)	1 <sup>st</sup> offense	\$1,000.00
(2)	subsequent offense	revocation of license and \$1,000.00 penalty

*History Note: Authority G.S. 88B-4; 88B-24; 88B-29;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

#### **.0103 TEMPORARY EMPLOYMENT PERMIT**

The presumptive civil penalty for practicing cosmetology, manicuring, or esthetics with an expired temporary employment permit is:

(1)	1 <sup>st</sup> offense	warning (\$100.00)
(2)	2 <sup>nd</sup> offense	\$250.00
(3)	3 <sup>rd</sup> offense	\$500.00

*History Note: Authority G.S. 88B-4; 88B-12; 88B-29;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

#### **.0104 LICENSING OF COSMETIC ART SHOPS**

(a) The presumptive civil penalty for operating a cosmetic art shop without first filing an application for a cosmetic art shop license:

(1)	1 <sup>st</sup> offense	\$100.00
(2)	2 <sup>nd</sup> offense	\$200.00
(3)	3 <sup>rd</sup> offense	\$300.00

(b) The presumptive civil penalty for moving or changing location of an existing cosmetic art shop without first submitting the appropriate form and fee to the Board is:

(1)	1 <sup>st</sup> offense	\$100.00
(2)	2 <sup>nd</sup> offense	\$200.00
(3)	3 <sup>rd</sup> offense	\$300.00

*History Note: Authority G.S. 88B-4;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

#### **.0110 LICENSING OF BEAUTY SALONS**

(a) The presumptive civil penalty for use of a cosmetic art shop as living, dining, or sleeping quarters is:

(1)	1 <sup>st</sup> offense	warning (\$50.00)
(2)	2 <sup>nd</sup> offense	\$100.00
(3)	3 <sup>rd</sup> offense	\$200.00

(b) The presumptive civil penalty for failure to provide a separate entrance into the cosmetic art shop is:

(1)	1 <sup>st</sup> offense	warning (\$100.00)
(2)	2 <sup>nd</sup> offense	\$200.00
(3)	3 <sup>rd</sup> offense	\$400.00

(c) The presumptive civil penalty for re-opening a cosmetic art shop which has been closed for more than 90 days without making application to the Board for a new license:

1 <sup>st</sup> offense	\$100.00
2 <sup>nd</sup> offense	\$200.00
3 <sup>rd</sup> offense	\$300.00

*History Note: Authority G.S. 88B-4; 88B-14; 88B-29;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

#### **.0115 SANITARY RATINGS**

The presumptive civil penalty for a school failure to display an inspection grade card is:

(1)	1 <sup>st</sup> offense	warning (\$50.00)
(2)	2 <sup>nd</sup> offense	\$100.00
(3)	3 <sup>rd</sup> offense	\$200.00

*History Note: Authority G.S. 88B-4; 88B-29;*

*Temporary Adoption Eff. January 1, 1999;*

*Eff. August 1, 2000.*

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, September 16, 1999, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, September 13, 1999, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

**RULES REVIEW COMMISSION MEMBERS**

**Appointed by Senate**

Teresa L. Smallwood, Vice Chairman  
John Arrowood  
Laura Devan  
Jim Funderburke  
David Twiddy

**Appointed by House**

Paul Powell, Chairman  
Anita White, 2<sup>nd</sup> Vice Chairman  
Mark Garside  
Steve Rader  
George Robinson

**RULES REVIEW COMMISSION MEETING DATES**

September 16, 1999  
October 21, 1999

November 18, 1999  
December 16, 1999

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**LOG OF FILINGS**

**RULES SUBMITTED: JULY 20, 1999 THROUGH AUGUST 20, 1999**

AGENCY/DIVISION	RULE NAME	RULE	ACTION
<b>DEPARTMENT OF INSURANCE</b>			
	Suitability	11 NCAC 12 .1025	Amend
<b>DEPARTMENT OF LABOR</b>			
	Scope	13 NCAC 7F .0601	Adopt
	Definitions	13 NCAC 7F .0602	Adopt
	Training and Education	13 NCAC 7F .0603	Adopt
	Resp./Symtoms Indicating/Dev./MSD	13 NCAC 7F .0604	Adopt
	Medical Management	13 NCAC 7F .0605	Adopt
	Actual Compliance or Safe Harbor	13 NCAC 7F .0606	Adopt
<b>DENR/SEDIMENTATION CONTROL COMMISSION</b>			
	Procedures: Notices	15 NCAC 4C .0107	Amend
<b>EDUCATION, STATE BOARD OF</b>			
	Graduation Requirements	16 NCAC 6D .0103	Repeal
	Grade Level Proficiency	16 NCAC 6D .0304	Repeal
	Definitions	16 NCAC 6D .0501	Adopt
	Student Accountability Standards	16 NCAC 6D .0502	Adopt
	State Graduation Requirements	16 NCAC 6D .0503	Adopt
	Review Procedures	16 NCAC 6D .0504	Adopt
	Local Accountability Procedures	16 NCAC 6D .0505	Adopt
	Students with Disabilities	16 NCAC 6D .0506	Adopt
	Students/Limited English Proficiency	16 NCAC 6D .0507	Adopt
<b>STATE BOARDS/NC BOARD OF REGISTRATION FOR FORESTERS</b>			

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**RULES REVIEW COMMISSION**

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Purpose of Program	21 NCAC 20 .0101	Amend
Qualifications for Registration	21 NCAC 20 .0103	Amend
Examinations	21 NCAC 20 .0104	Amend
References	21 NCAC 20 .0105	Amend
Registration Fees	21 NCAC 20 .0106	Amend
Reciprocity	21 NCAC 20 .0117	Amend
Certification of Consulting Foresters	21 NCAC 20 .0120	Amend
Handling of Complaints	21 NCAC 20 .0122	Amend
Continuing Education	21 NCAC 20 .0123	Adopt

**NC HOUSING FINANCE AGENCY**

Persons and Families of Moderate Income 24 NCAC 1H .0103      Amend

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**RULES REVIEW COMMISSION****August 19, 1999**  
**MINUTES**

The Rules Review Commission met on August 19, 1999, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Chairman Paul Powell, Teresa Smallwood, Jennie J. Hayman, Walter Futch, Jim Funderburk, John Arrowood, Laura Devan, R. Palmer Sugg, David R. Twiddy, and George Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Sandy Webster.

The following people attended:

Harry Wilson	State Board of Education
Dedra Alston	DENR
Dee Williams	State Board of Cosmetic Art Examiners
Emily Lee	TRANSPORTATION/Division of Motor Vehicles
Mell Nevils	DENR/DLR/LQS
Laura Crumpler	Attorney General
Jennie Wilhelm Mau	Attorney General
Sherri Knight	DENR/GW
Arthur Mewberry	DENR/DWQ/Groundwater
Jessica Gill	DENR/Coastal Resources Commission
David A. Hance	DENR/DWQ/Groundwater
Greg Bright	DENR/Well Contractors
Linda Suggs	NCASA
Charles Johnson	Commerce/Finance
Mary Johnson	Commerce/Finance
Mary Thompson	DENR/Coastal Resources Commission

**APPROVAL OF MINUTES**

The meeting was called to order at 10:01 a.m. with Chairman Powell presiding. He asked for any discussion, comments, or corrections concerning the minutes of the July 15, 1999 meeting. There being none, the minutes were approved.

**SWEARING IN OF NEW COMMISSIONERS**

Staff Attorney Robert A. Bryan, Jr. swore in new Commissioners Jennie J. Hayman and Walter Futch.

**FOLLOW-UP MATTERS**

2 NCAC 20B .0104: AGRICULTURE/Board of Agriculture – The rewritten rule submitted by the agency was approved by the Commission.

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2 NCAC 43L .0309: AGRICULTURE/Board of Agriculture – The rewritten rule submitted by the agency was approved by the Commission.

2 NCAC 54 .0103 and .0105: AGRICULTURE/Agriculture and Consumer Services – These rules were returned to the agency.

12 NCAC 9A .0103: JUSTICE/Criminal Justice Education & Training Standards Commission – This Commission will meet on August 27, 1999 and the agency will respond after their Commission meets.

12 NCAC 9B .0107,.0113, .0201, .0202, .0203, .0204, .0205, .0206, .0226, .0227, .0228, .0232, .0233 and .0305: JUSTICE/Criminal Justice Education & Training Standards Commission – The Commission will meet on August 27, 1999 and the agency will respond after their Commission meets.

12 NCAC 9C .0211, .0212, and .0213: JUSTICE/Criminal Justice Education & Training Standards Commission – This Commission will meet on August 27, 1999 and the agency will respond after the Commission meets.

12 NCAC 10B .0103: JUSTICE/Sheriffs' Education & Training Standards – This Commission will meet on September 16, 1999 and the agency will respond after the Commission meets.

15A NCAC 7H .0309, .1805, and .2105: DENR/Coastal Resources Commission – The Commission approved the rewritten rules for .0309 and .2105 submitted by the agency. They continued the objection to .1805 due to lack of statutory authority. In (f), the added provision allowing the division to approve work from May 1 through November 15 is a waiver provision without specific guidelines in violation of G.S. 150B-19(6).

16 NCAC 6C .0501: STATE BOARD OF EDUCATION – The rewritten rule submitted by the agency was approved by the Commission. A motion to rescind the action taken last month to return 16 NCAC 6C .0304 to the agency for failure to comply with the rulemaking provisions of the APA failed on a voice vote.

19A NCAC 3I .0307, .0402, and .0804: TRANSPORTATION/Division of Motor Vehicles – The rewritten rules submitted by the agency were approved by the Commission.

21 NCAC 14I .0104 and .0107: State Board of Cosmetic Art Examiners – The rewritten rules submitted by the agency were approved by the Commission because they had obtained the necessary authority.

21 NCAC 14J .0208 and .0501 - State Board of Cosmetic Art Examiners – The rewritten rules submitted by the agency were approved by the Commission.

21 NCAC 14L .0101 - State Board of Cosmetic Art Examiners – The rewritten rule submitted by the agency was approved by the Commission.

21 NCAC 14N .0113 - State Board of Cosmetic Art Examiners – The rewritten rule submitted by the agency was approved by the Commission.

21 NCAC 14O .0101 and .0104 - State Board of Cosmetic Art Examiners – The rewritten rules submitted by the agency were approved by the Commission.

21 NCAC 14P .0105,.0111, .0112, .0113, .0114, and .0116 - State Board of Cosmetic Art Examiners – The rewritten rules submitted by the agency were approved by the Commission.

## **LOG OF FILINGS**

Chairman Powell presided over the review of the log and all rules were unanimously approved with the following exceptions:

4 NCAC 11 Rules – COMMERCE/Commerce Finance Center – These rules were returned to the agency for failure to comply with the notice provisions of the Administrative Procedures Act. The Notice of Text provides that the comment period would be open through May 17, 1999. The Submission Form indicates this rule was adopted by the agency on May 6, 1999, prior to the close of the comment period. In addition the notice states that the rules do not have a substantial economic impact of \$5,000,000 in a 12 month period, but the fiscal note does show a total economic impact of \$10,420,000 in fiscal year 1999-2000. This requires a 60 day comment period, rather than the 30 day period provided for in the notice. (G.S. 150B-21.2(f)). Therefore the agency needs to

republish all these rules with the proper comment period, observe the comment period, and then adopt the rules.

15A NCAC 27 .0110 (subsequently renumbered as .0101) – DENR/Well Contractors Certification Commission – The Commission objected to this rule due to lack of statutory authority. In (i) there are no standards specified for approving organizational or individual sponsors of continuing education courses. Paragraphs (j) and (k) either redefine or repeat the contents of statutory definitions at G.S. 87-98.2.

15A NCAC 27 .0201 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to lack of statutory authority. There is no authority cited for not charging well contractors who work for municipal governments the exam or licensing fee. There is no indication given that it was the intent of the general assembly to make that exemption.

15A NCAC 27 .0301 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to ambiguity. In (e)(2) it is unclear what constitutes a "business related to well contractor activities." It is also unclear what constitutes "satisfactory...equivalent experience." In (e)(1) – (3) various tests to establish satisfactory experience are set out. Item (4) states that instead of (1) – (3) a person may submit evidence of equivalent experience. It seems that a person may show other ways of proving experience but it is unclear what the equivalence is. After all what is the equivalent experience to completing 25 wells in 24 months or "working in a well contractor activity for 24 months" that is not working in this activity? It is possible that the board may accept a combination of experience and education or education alone as an equivalent to the work experience, but that is not what the rule says or implies.

15A NCAC 27 .0410 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to lack of statutory authority. In (a) the Commission may allow an exam to be administered orally, rather than in writing for "exceptional" circumstances. This is a waiver provision. The Commission may not grant such a waiver without specific guidelines the agency shall follow in granting or denying the waiver.

15A NCAC 27 .0420 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to ambiguity. In (2)(a) it is unclear what constitutes "a sufficient number of applicants" to justify scheduling an examination. In (2)(b) it is unclear what constitutes "exceptional circumstances" or the standards the Commission shall use in deciding whether to grant or deny the application.

15A NCAC 27 .0430 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to lack of statutory authority. Rules relating to internal agency procedures are not to be adopted as rules. G.S. 143B-10(j)(3).

15A NCAC 27 .0701 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to lack of statutory authority and necessity. This rule simply repeats the provisions of G.S. 87-98.5, is unnecessary, and violates G.S. 150B-19(4).

15A NCAC 27 .0810 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to ambiguity. In (1) – (4) of this rule, especially when taken with .0820, it is unclear what constitutes "course completion," "course credit," and what PDH credit the licensee will earn.

15A NCAC 27 .0820 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to ambiguity. In (1) – (4) of this rule, especially when taken with .0810, it is unclear what constitutes "course completion," "course credit," and what PDH credit the licensee will earn. In (5) it is unclear how the agency will determine that a course or activity contains "a clear purpose and objective and result[s] in the maintenance, improvement, or expansion of skills..." "without scrutiny of individual course content."

15A NCAC 27 .0840 - DENR/Well Contractors Certification Commission – The Commission objected to this rule due to lack of statutory authority and ambiguity. There is no authority cited to grant an exemption from the statutory continuing education requirement. While an agency has the authority to grant exemptions to its own rules, it has no authority to exempt persons from the statutory requirements, at least not unless such authority is specifically granted by the legislature. Even if there is authority for this rule, it is unclear what constitutes "physical disability, illness, or other extenuating circumstances..." in (3). The logical question that needs to be answered is what sort of disability, illness, or circumstances would render a person capable of performing satisfactorily as a well contractor but not able to obtain or needful of obtaining continuing education hours. It is also unclear what standards the board shall use in determining whether to grant the exemption.

21 NCAC 12 .0504 – NC Licensing Board for General Contractors – This rule was withdrawn by the agency.

**COMMISSION PROCEDURES AND OTHER MATTERS**

Mr. DeLuca announced that election of officers would take place next month. The Commission voted to go into Executive Session to consider the lawsuit and hear from its attorneys. The Commission reconvened after Executive Session and voted to adjourn at 12:25 p.m.

The next meeting will be on September 16, 1999.

Respectfully submitted,  
Sandy Webster

**T**his Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.

**OFFICE OF ADMINISTRATIVE HEARINGS**

*Chief Administrative Law Judge*  
JULIAN MANN, III

*Senior Administrative Law Judge*  
FRED G. MORRISON JR.

**ADMINISTRATIVE LAW JUDGES**

Sammie Chess Jr.  
Beecher R. Gray  
Melissa Owens

Meg Scott Phipps  
Robert Roosevelt Reilly Jr.  
Beryl E. Wade

<b>AGENCY</b>	<b>CASE NUMBER</b>	<b>ALJ</b>	<b>DATE OF DECISION</b>	<b>PUBLISHED DECISION REGISTER CITATION</b>
<b>ADMINISTRATION</b>				
Britthaven, Inc. v. Department of Administration and Priva-Trends, Inc.	98 DOA 0811	Chess	06/10/99	
Laidlaw Transit Svcs, Inc. v. Katie G. Dorsett, Sec'y/Dept/Adminstration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
<b>OFFICE OF ADMINISTRATIVE HEARINGS</b>				
Ted Murrell, Zam, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Samuel Lee Ferguson v. Office of Administrative Hearings	99 OAH 0718	Chess	07/16/99	
<b>AGRICULTURE</b>				
Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
<b>ALCOHOLIC BEVERAGE CONTROL COMMISSION</b>				
Alcoholic Beverage Control Commission v. Keyland, Inc., T/A Cloud 9	98 ABC 1099	Overby	01/17/99	
Alcoholic Beverage Control Commission v. Food Lion, Inc., Store #1351	98 ABC 1270	Gray	03/31/99	14:04 NCR 347
Alcoholic Beverage Control Commission v. Beech Mountain Resort, Inc.	99 ABC 0287	Reilly	08/11/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0407	Morrison	07/09/99	
Delores Ann Holley v. Alcoholic Beverage Control Commission	99 ABC 0876	Gray	08/10/99	
<b>CRIME CONTROL AND PUBLIC SAFETY</b>				
Paul Richard Mull v. Crime Victims Compensation Commission	98 CPS 0342	Chess	07/26/99	
Bobby Mills v. Crime Victims Compensation Commission	98 CPS 1412	Wade	08/06/99	
William Samuel McCraw v. Crime Victims Compensation Commission	98 CPS 1626	Morrison	06/09/99	
Anson D. Looney v. Crime Victims Compensation Commission	99 CPS 0096	Morrison	05/25/99	
Elvin Williams, Jr. v. Crime Victims Compensation Commission	99 CPS 0118	Owens	08/03/99	
Michael Anthony Powell v. Crime Victims Compensation Commission	99 CPS 0426	Reilly	08/03/99	
Mary Elizabeth Peoples Hogan v. Crime Victims Compensation Comm.	99 CPS 0504	Reilly	07/29/99	
Annahell B. McCormick v. Crime Victims Compensation Commission	99 CPS 0564	Phipps	08/04/99	
<b>ENVIRONMENT AND NATURAL RESOURCES</b>				
R.J. Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14:02 NCR 110
Willie Setzer v. Department of Environment & Natural Resources	99 EHR 0166	Chess	06/28/99	
Charles H. Jordan v. Brunswick County Health Department	99 EHR 0201	Morrison	06/28/99	
Roadway Express v. Department of Environment and Natural Resources	99 EHR 0745	Morrison	07/27/99	

## CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b><i>Division of Air Quality</i></b>				
Terrance W. Bache, Pres., Terhane Group, Inc. v. DENR, Div/Air Quality XVIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. Environment and Natural Resources, Div. of Air Quality	98 EHR 1790 99 EHR 0283	Mann Wade	06/23/99 08/11/99	
J.D. Owen v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0642	Mann	08/10/99	
<b><i>Environmental Management</i></b>				
Allen Raynor v. Environmental Management Commission	99 EHR 0127	Gray	07/27/99	
<b><i>Division of Land Resources</i></b>				
Buel B. Barker, Jr. and Hubbard Realty of Winston-Salem, a NC Corp., jointly and severally v. Dept. of Environment and Natural Resources, Div. of Land Resources	98 EHR 1457	Morrison	06/09/99	
<b><i>Division of Water Quality</i></b>				
York Oil Company v. DENR, Division of Water Quality	97 EHR 1026	Phipps	07/26/99	14:04 NCR 343
J. Todd Yates and Teresa B. Yates v. DENR, Div. of Water Quality	98 EHR 1456	Wade	06/22/99	
<b>BOARD OF GEOLOGISTS</b>				
Andrew M. Raring, Ph.D. v. Board for the Licensing of Geologists	99 BOG 0150	Mann	06/16/99	
<b>HEALTH AND HUMAN SERVICES</b>				
Ernest Clev. Absher and Dianna B. Absher v. Health & Human Resources	98 DHR 1622	Reilly	06/17/99	
Andrew Laney v. Office of the Chief Medical Examiner	98 DHR 1761	Owens	05/12/99	14:01 NCR 69
J.P. Lynch v. Department of Health & Human Services	99 DHR 0111	Reilly	05/25/99	
New Hope Living Centers, Enc D. Lewis v. Health & Human Services	99 DHR 0170	Owens	05/25/99	
Frank McKoy v. Department of Health & Human Services	99 DHR 0226	Wade	07/06/99	
Joan Marie McDaniel v. Department of Health & Human Services	99 DHR 0305	Reilly	08/05/99	
Lonnie Herring v. Department of Health & Human Services	99 DHR 0350	Reilly	06/03/99	
Robert H. Riley v. Office of the Governor, Office of Citizen Services	99 DHR 0356	Wade	07/21/99	
<b><i>Division of Child Development</i></b>				
Shaw Speaks Child Dev. Ctr v. Health & Human Svcs., Child Dev.	99 DHR 0042	Gray	07/22/99	
Lachelle L. Parsons v. Health & Human Svcs., Div. of Child Dev	99 DHR 0445	Reilly	07/19/99	
In The Beginning, Inc. v. Health & Human Svcs., Div. of Cld Dev	99 DHR 0575	Mann	07/19/99	
Dulatown Outreach Center, Inc. v. Health & Human Svcs., Child Dev	99 DHR 0688	Owens	07/21/99	
Michele Denoff v. Health & Human Services, Div. of Child Dev.	99 DHR 0695	Owens	08/05/99	
<b><i>Division of Facility Services</i></b>				
Kelly M. Poole v. Health & Human Services, Div. of Facility Services	97 DHR 0629	Chess	06/14/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	98 DHR 1274 <sup>1</sup>	Phipps	07/02/99	
Delta C. Jones v. Health & Human Services, Div. of Facility Services	98 DHR 1680	Gray	06/09/99	
Effie Ruth Smith v. Health & Human Svcs., Div. of Facility Services	98 DHR 1774	Chess	07/14/99	
Doris Laviner Moser v. Health & Human Services, Div. of Facility Svcs.	99 DHR 0074	Wade	08/06/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	99 DHR 0144 <sup>1</sup>	Phipps	07/02/99	
Carolyn Grant v. Health & Human Services, Div. of Facility Services	99 DHR 0145	Mann	06/11/99	
Marion Moser Thompson v. Health & Human Svcs., Facility Services	99 DHR 0216	Gray	08/13/99	
Rose Marie Hadley v. Health & Human Svcs., Div. of Facility Services	99 DHR 0218	Wade	08/06/99	
Sarah Frances Alford v. Health & Human Svcs., Div. of Facility Svcs.	99 DHR 0220	Phipps	06/08/99	
Alvin L. Phynon Jr. v. Health & Human Svcs., Dept. of Facility	99 DHR 0230	Mann	07/07/99	
Barbara Rhue v. D.F.S.	99 DHR 0401 <sup>1</sup>	Wade	07/30/99	
Barbara Rhue v. D.F.S.	99 DHR 0414 <sup>1</sup>	Wade	07/30/99	
Esther Nieves v. Health & Human Services, Div. of Facility Services	99 DHR 0766	Phipps	07/21/99	
<b><i>Division of Medical Assistance</i></b>				
Companion Health Care, Inc. v. Div. of Medical Assistance, DHR	99 DHR 0762	Owens	07/29/99	
<b><i>Division of Mental Health, Developmental Disabilities and Substance Abuse Services</i></b>				
S.S. by her parents and next friends. D.S. & A.S. v. DMH/DD/SAS	99 DHR 0538	Gray	08/02/99	
<b><i>Division of Social Services</i></b>				
Robert H. Riley v. Iredell County DSS	99 DHR 0354	Wade	07/21/99	
Robert H. Riley v. Health & Human Svcs., Div. of Social Services	99 DHR 0355	Wade	07/21/99	
Joanna Price v. Caldwell County Social Services	99 DHR 0520	Morrison	06/10/99	
Veronica Owens v. Dept. of Social Services Union County	99 MIS 0677	Mann	08/17/99	

\* Consolidated Cases.

## CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<i>Child Support Enforcement Section</i>				
Lindy Teachout v. Department of Health & Human Services	98 CRA 0727	Reilly	06/24/99	
Thomas Ashley Stewart II v. Department of Health & Human Services	99 CRA 0628	Reilly	06/14/99	
Richard Arnold Collins v. Jones County DSS	96 CSE 1810	Reilly	06/28/99	
Kenneth Wayne Adair v. Department of Human Resources	98 CSE 0229	Morrison	06/30/99	
Huri G. Stokes v. Department of Health & Human Services	98 CSE 0898	Gray	07/23/99	
G.S. Hall v. Department of Health & Human Services	98 CSE 1392	Reilly	06/24/99	
Kenneth A. McCrone v. Department of Human Resources	98 CSE 1435	Gray	08/04/99	
Donald Edward Law II v. Department of Human Resources	98 CSE 1586	Morrison	06/25/99	
Robert M. Chandler Jr. v. Department of Health & Human Services	98 CSE 1789	Phipps	05/27/99	
Grady L. Chosewood v. Department of Health & Human Services	99 CSE 0301	Mann	07/01/99	
Fulton Allen Tillman v. Department of Health & Human Services	99 CSE 0311	Reilly	06/30/99	
Nathaniel Alston v. Department of Health & Human Services	99 CSE 0317	Mann	07/01/99	
Bret Burtrum v. Department of Health & Human Services	99 CSE 0318	Wade	07/14/99	
Cedric A. Hurst v. Department of Human Resources	99 CSE 0330	Chess	08/10/99	
Dane Wesley Ware v. Department of Health & Human Services	99 CSE 0359	Gray	06/28/99	
Oscar Wilham Willoughby Sr. v. Dept. of Health & Human Services	99 CSE 0371	Morrison	06/28/99	
Kelvin E. Townsend v. Department of Health & Human Services	99 CSE 0373	Phipps	07/12/99	
Billy J. Young v. Department of Health & Human Services	99 CSE 0374	Reilly	06/14/99	
Adelheide J. Cooper v. Department of Health & Human Services	99 CSE 0428	Phipps	07/19/99	
Beverly K. Thompson v. Department of Health & Human Services	99 CSE 0435	Reilly	06/14/99	
Michael L. Timmer v. Department of Health & Human Services	99 CSE 0437	Wade	06/08/99	
Elizabeth F. West v. Department of Health & Human Services	99 CSE 0451	Morrison	05/25/99	
Troy Gibson v. Department of Health & Human Services	99 CSE 0462	Owens	07/19/99	
Roy D. Washington v. Department of Health & Human Services	99 CSE 0481	Reilly	06/25/99	
Calvin D. Alston v. Department of Health & Human Services	99 CSE 0539	Owens	08/10/99	
Marquel Simmons v. Department of Health & Human Services	99 CSE 0547	Wade	08/06/99	
Gerald Scott Saucier v. Department of Health & Human Services	99 CSE 0576	Mann	06/09/99	
Lawrence Gordon Soles v. Department of Health & Human Services	99 CSE 0581	Morrison	06/09/99	
Mohamed Moustafa v. Department of Health & Human Services	99 CSE 0582	Owens	08/05/99	
Charli James White v. Department of Health & Human Services	99 CSE 0690	Morrison	07/20/99	
Larie Bolton v. Department of Health & Human Services	99 CSE 0735	Phipps	08/06/99	
Earl C. Jones, Sr. v. Department of Health & Human Services	99 CSE 0801	Gray	08/10/99	
Kathryn P. Fagan v. Department of Health & Human Services	98 DCS 1769	Morrison	06/25/99	
Deborah Seegars v. Department of Health & Human Services	99 DCS 0505	Phipps	06/30/99	
Lillian Anne Darroch v. Department of Health & Human Services	99 DCS 0555	Gray	07/06/99	

### JUSTICE

#### *Alarm Systems Licensing Board*

Terry Allen Brickey v. Alarm Systems Licensing Board	99 DOJ 0097	Wade	05/21/99
Travis Eric Reardon v. Alarm Systems Licensing Board	99 DOJ 0446	Phipps	07/28/99
Brian Anthony Bartumac v. Alarm Systems Licensing Board	99 DOJ 0487	Morrison	05/25/99
Paul Luke Walczak v. Alarm Systems Licensing Board	99 DOJ 0489	Owens	08/03/99
Melvin T. Lohr v. Alarm Systems Licensing Board	99 DOJ 0490	Morrison	05/24/99
Bradford D. Penny v. Alarm Systems Licensing Board	99 DOJ 0522	Morrison	06/08/99
Benny L. Shaw v. Alarm Systems Licensing Board	99 DOJ 0523	Morrison	06/08/99
Donald Eugene Boger v. Alarm Systems Licensing Board	99 DOJ 0715	Owens	07/29/99
Kajur Washburn v. Alarm Systems Licensing Board	99 DOJ 0716	Owens	07/29/99

#### *Education and Training Standards Division*

Rock Steven Edwards v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0906	Chess	05/13/99
Anthony Scott Hughes v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1530	Chess	05/12/99
Hal Pilgreen v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1775	Chess	06/09/99
Emma J. Kiser v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1793	Gray	06/07/99
Keith Allen Norris v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0045	Mann	07/29/99
Sherry Davis Kenney v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0067	Wade	06/08/99
Russell Lee Yelverton v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0131	Phipps	08/11/99

14:04 NCR 351

#### *Private Protective Services Board*

Thomas E. Mewborn v. Private Protective Services Board	99 DOJ 0101	Owens	07/30/99
Michael Lynn Arter v. Private Protective Services Board	99 DOJ 0262	Wade	05/25/99
Jeffrey S. Moore v. Private Protective Services Board	99 DOJ 0488	Morrison	05/24/99
Bonnie Marie Keller v. Private Protective Services Board	99 DOJ 0491	Morrison	05/24/99
Shawn E. Alexander v. Private Protective Services Board	99 DOJ 0492	Owens	07/19/99
Ronald E. Solloway v. Private Protective Services Board	99 DOJ 0493	Morrison	05/24/99
Raymond Solomon v. Private Protective Services Board	99 DOJ 0494	Morrison	05/25/99
Charles E. Evans, Jr. v. Private Protective Services Board	99 DOJ 0496	Morrison	05/25/99
William E. Ellis, Sr. v. Private Protective Services Board	99 DOJ 0527	Morrison	06/08/99

## CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>PUBLIC INSTRUCTION</b>				
S.H. by and through her guardian and custodian, H.H. and H.H. v. Henderson County Board of Education	98 EDC 1124	Mann	06/11/99	
S.L.F. and S.F.F. v. Charlotte-Mecklenburg Board of Education	98 EDC 1649	Mann	06/04/99	
<b>STATE PERSONNEL</b>				
<i>Department of Agriculture</i>				
H.C. Troxler, Jr. v. Dept. of Agriculture and Consumer Services	99 OSP 0659	Chess	07/27/99	
<i>Community Colleges</i>				
Thomas Michael Chamberlin v. Department of Community Colleges	99 OSP 0286	Phipps	06/25/99	
<i>Correction</i>				
E. Wayne Irvin v. Department of Correction	94 OSP 1791	Morrison	05/18/99	14:01 NCR 60
Pershield DeLoatch v. Department of Correction	98 OSP 1026	Gray	08/11/99	
Deborah Smith v. Department of Correction	98 OSP 1126	Chess	06/22/99	
Maydean L. Taylor v. Department of Correction	98 OSP 1272	Chess	05/14/99	
Ann McMullan v. Morrison Youth Institution, Department of Correction	98 OSP 1275	Chess	05/12/99	
Edward Alan Roper v. DOC, Div. of Prisons, Western Youth Institute	98 OSP 1644	Gray	08/11/99	
DeCarlos Stanley v. Department of Correction	99 OSP 0027	Morrison	06/22/99	
Harry E. Kenan v. Capt. B.F. Lewis, Polk Youth Institution	99 OSP 0257	Phipps	06/07/99	
Richmond Fulmore v. Department of Corrections, Wake Correctional	99 OSP 0416	Mann	06/04/99	
Jerry D. Crawford v. Department of Corrections	99 OSP 0577	Reilly	06/02/99	
Charles Creegan v. Department of Correction	99 OSP 0765	Reilly	08/03/99	
<i>Crime Control and Public Safety</i>				
Thomas Michael Chamberlin v. DCCPS, Center for Missing Persons	99 OSP 0596* <sup>4</sup>	Gray	08/16/99	
<i>North Carolina School for the Deaf</i>				
Eric Arden Hurley v. North Carolina School for the Deaf	99 OSP 0087	Reilly	06/24/99	
<i>Employment Security Commission</i>				
Russell J. Suga v. Employment Security Commission	96 OSP 1122	Reilly	05/26/99	
<i>Health and Human Services</i>				
Vera Crenshaw v. DHHS, Julian F. Keith Alc. & Drug Abuse Trmt. Ctr.	98 OSP 0456	Gray	08/05/99	
Ivey G. Rhodes v. Pitt County Mental Health Center	98 OSP 0924	Phipps	07/09/99	
Doris Virginia Wearing v. Durham County Health Department	98 OSP 1432	Reilly	06/18/99	
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Jency Abrams v. Department of Health & Human Services	99 OSP 0147	Owens	08/11/99	
Odell Hudson v. Health & Human Svcs., Dorothea Dix Hospital	99 OSP 0609	Gray	07/07/99	
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Larry R. Lane v. Department of Transportation	99 OSP 0105	Mann	06/11/99	
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Shelia Davis v. Department of Transportation	99 OSP 0156	Owens	06/23/99	
<i>University of North Carolina</i>				
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Vivian Smith Hammie, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1268* <sup>2</sup>	Phipps	07/06/99	

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**CONTESTED CASE DECISIONS**

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Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1269* <sup>2</sup>	Phipps	07/06/99
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1270* <sup>2</sup>	Phipps	07/06/99
Jackie S. Flowers v. East Carolina University	98 OSP 1618	Reilly	06/24/99
Anna Anita Huff v. Dr. Lonnie Sharpe/Dr. Reza Salami-Coll./Engineering	99 OSP 0599	Chess	07/16/99
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Robin Perkins Stephens v. UNC Hospitals	99 UNC 0563	Owens	07/21/99
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0746* <sup>5</sup>	Reilly	08/09/99
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This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

**Fiscal Note:** S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. \* = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

### ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 .0101 13.22 NCR 1820

\*

14.03 NCR 243

\*

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13.19 NCR 1606

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1 NCAC 15 .0201 13.02 NCR 175

1 NCAC 15 .0205 13.02 NCR 175

1 NCAC 15 .0206 13.02 NCR 175

1 NCAC 15 .0212 13.02 NCR 175

1 NCAC 15 .0213 13.02 NCR 175

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1 NCAC 40 .0101 13.05 NCR 521

1 NCAC 40 .0102 14.04 NCR 311

1 NCAC 40 .0103 13.05 NCR 521

1 NCAC 40 .0201 14.04 NCR 311

1 NCAC 40 .0202 13.13 NCR 1057

1 NCAC 40 .0203 14.04 NCR 311

1 NCAC 40 .0204 13.05 NCR 521

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1 NCAC 40 .0208 14.04 NCR 311

1 NCAC 40 .0209 13.05 NCR 521

1 NCAC 40 .0210 13.13 NCR 1057

1 NCAC 40 .0211 14.04 NCR 311

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1 NCAC 40 .0213 14.04 NCR 311

1 NCAC 40 .0214 13.05 NCR 521

1 NCAC 40 .0215 14.04 NCR 311

1 NCAC 40 .0216 13.05 NCR 521

1 NCAC 40 .0217 14.04 NCR 311

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1 NCAC 40 .0204			13:05 NCR 521 13:13 NCR 1057 14:04 NCR 311		Temp Expired 05/29/99 Temp Expired 05/29/99					
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1 NCAC 05C		13:04 NCR 360								
1 NCAC 05D		13:04 NCR 360								
<b>State Employees Combined Campaign</b>										
1 NCAC 35 .0101		13:04 NCR 360		13:08 NCR 647		*				
1 NCAC 35 .0103		13:04 NCR 360		13:08 NCR 647		*				
1 NCAC 35 .0202		13:04 NCR 360		13:08 NCR 647		*				
1 NCAC 35 .0304		13:04 NCR 360		13:08 NCR 647		*				
1 NCAC 35 .0308		13:04 NCR 360		13:08 NCR 647		*				
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2 NCAC 20B .0104		13:13 NCR 1040		13:18 NCR 1503		*	Object	<b>07/15/99</b>		
2 NCAC 43L .0309		13:14 NCR 1109		13:20 NCR 1718		*	Object	<b>07/15/99</b>		
<b>Consumer Services</b>										
2 NCAC 54 .0101		13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718		*	Approve	07/15/99		
2 NCAC 54 .0102		13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718		*	Approve	07/15/99		
2 NCAC 54 .0103		13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718		*	Agcy Withdraw	07/15/99		
2 NCAC 54 .0104		13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718		*	Approve	07/15/99		
2 NCAC 54 .0105		13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718		*	Agcy Withdraw	07/15/99		
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2 NCAC 09K .0214		13:14 NCR 1109		13:20 NCR 1717		*	Approve	07/15/99		
2 NCAC 09L .0502		14:01 NCR 4		14:05 NCR 374		*				
2 NCAC 09L .1201		14:01 NCR 4		14:05 NCR 374		*				
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2 NCAC 52B .0207	13:23 NCR 1946	13:23 NCR 1946	14:03 NCR 128	*						
2 NCAC 52B .0302	13:23 NCR 1901		14:03 NCR 128	*						
2 NCAC 52E .0209	13:23 NCR 1901		14:03 NCR 128	*						
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21 NCAC 57A .0305	13:01 NCR 3		13:05 NCR 513	*	Object	11/19/98				
<b>CHIROPRACTIC</b>										
21 NCAC 10 .0203		12:23 NCR 2098	13:14 NCR 1117	*	Approve	03/18/99	*			
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4 NCAC 01E .0104	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98				
4 NCAC 01F	11:09 NCR 569				Approve	01/21/99	*			
<b>4 NCAC 01H</b>										
4 NCAC 01H .0101	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0101		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0102	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0102		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0201	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0201		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0202	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0202		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0301	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0301		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0302	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0302		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0303	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0303		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0304	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0304		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0401	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0401		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0402	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0402		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0403	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0403		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				
4 NCAC 01H .0404	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*						
4 NCAC 01H .0404		13:20 NCR 1719	13:20 NCR 652	LS	Agcy withdrew	12/17/98				

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4 NCAC 011 .0404	11.09 NCR 569	13:15 NCR 1224		*						
4 NCAC 011 .0405	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652	*						
4 NCAC 011 .0405	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652	*						
4 NCAC 011 .0501	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0501	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0502	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0502	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0503	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0503	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0601	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0601	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0701	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0701	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011 .0801	11.09 NCR 569	13:15 NCR 1224	13:20 NCR 652							
4 NCAC 011	11.09 NCR 569									
4 NCAC 01K .0102	11.09 NCR 569		13:08 NCR 652	*						
4 NCAC 01K .0103	11.09 NCR 569		13:08 NCR 652	*						
4 NCAC 01K .0302	11.09 NCR 569		13:08 NCR 652	*						
4 NCAC 01K .0402	11.09 NCR 569		13:08 NCR 652	*						
<b>Banking Commission</b>										
4 NCAC 03B .0101	N/A		N/A							
4 NCAC 03B .0102	N/A		N/A							
4 NCAC 03B .0103	N/A		N/A							
4 NCAC 03H .0102	N/A		N/A							
4 NCAC 03L .0101	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L .0102	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L .0201	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L .0202	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L .0301	13:24 NCR 1997		14:04 NCR 274	*						

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4 NCAC 03L.0302	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0303	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0401	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0402	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0403	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0404	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0405	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0501	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0502	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0601	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0602	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0603	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0604	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0701	13:24 NCR 1997			14:04 NCR 274		*			
4 NCAC 03L.0702	13:24 NCR 1997			14:04 NCR 274		*			

**Cape Fear River Navigation and Pilotage Commission**

4 NCAC 15 .0119	14:03 NCR 125		
4 NCAC 15 .0120	14:03 NCR 125		
4 NCAC 15 .0121	14:03 NCR 125		

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23 NCAC 02B.0104	13:10 NCR 804	13:22 NCR 1849	*
23 NCAC 02C.0307		Temp Expired 05/29/99	
23 NCAC 02C.0503	13:10 NCR 815	13:22 NCR 1849	*
23 NCAC 02C.0504	13:10 NCR 815	13:22 NCR 1849	*
23 NCAC 02C.0505	13:10 NCR 815	13:22 NCR 1849	*

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21 NCAC 14A .0101	13:4 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14A .0103	13:4 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14A .0104	13:4 NCR 1114									14:05 NCR 402
21 NCAC 14A .0105		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				14:05 NCR 402
21 NCAC 14C .0202	13:4 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14F .0101	13:4 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14F .0105	13:4 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14G .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99				14:01 NCR 48
21 NCAC 14H .0112		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99	*			
21 NCAC 14H .0118		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99				
21 NCAC 14I .0104	13:4 NCR 1114		13:19 NCR 1652	*	Object	<b>06/17/99</b>				
21 NCAC 14I .0107	13:4 NCR 1114		13:19 NCR 1652	*	Object	<b>06/17/99</b>				
21 NCAC 14I .0109	13:4 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			
21 NCAC 14J .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				14:05 NCR 402
21 NCAC 14J .0208	13:4 NCR 1114		13:19 NCR 1652	*	Object	<b>06/17/99</b>				
21 NCAC 14J .0501	13:4 NCR 1114		13:19 NCR 1652	*	Object	<b>06/17/99</b>				
21 NCAC 14K .0102		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14K .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14L .0101	13:4 NCR 1114		13:19 NCR 1652	*	Object	<b>06/17/99</b>				
21 NCAC 14L .0105	13:4 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99				14:05 NCR 402
21 NCAC 14L .0109		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14L .0210	N/A		N/A	N/A	Approve	03/18/99				14:01 NCR 48
21 NCAC 14L .0214	N/A		N/A	N/A	Approve	03/18/99				14:01 NCR 48

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21 NCAC 14L.0216		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14L.0303	13:14 NCR 1114		13:19 NCR 1652	*	Agcy Withdraw	06/17/99				
21 NCAC 14N.0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14N.0102	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14N.0103	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14N.0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14N.0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14N.0108	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14N.0110	13:14 NCR 1112	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14N.0113	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14N.0601		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14N.0602		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14N.0701		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14N.0702		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14O.0101		13:14 NCR 1157	13:19 NCR 1652	*	Object	<b>06/17/99</b>				
21 NCAC 14O.0102		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14O.0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14O.0104		13:14 NCR 1157	13:19 NCR 1652	*	Object	<b>06/17/99</b>				
21 NCAC 14O.0105		13:14 NCR 1157	13:19 NCR 1652	*	Agcy Withdraw	06/17/99				
21 NCAC 14O.0106		Temp Expired 10/1/2099	13:19 NCR 1652	*	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14O.0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99				14:05 NCR 402
21 NCAC 14P.0101		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99c	*			14:05 NCR 402
21 NCAC 14P.0102		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14P.0103		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14P.0104		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*			14:05 NCR 402
21 NCAC 14P.0105		13:14 NCR 1157	13:19 NCR 1652	L	Object	<b>06/17/99</b>				

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21 NCAC 14P .0106		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99				14:05 NCR 402
21 NCAC 14P .0107		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99				14:05 NCR 402
21 NCAC 14P .0108		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99				14:05 NCR 402
21 NCAC 14P .0109		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99				14:05 NCR 402
21 NCAC 14P .0110		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99				14:05 NCR 402
21 NCAC 14P .0111		13:14 NCR 1157	13:19 NCR 1652	L	Object	<b>06/17/99</b>				
21 NCAC 14P .0112		13:14 NCR 1157	13:19 NCR 1652	L	Object	<b>06/17/99</b>				
21 NCAC 14P .0113		13:14 NCR 1157	13:19 NCR 1652	L	Object	<b>06/17/99</b>				
21 NCAC 14P .0114		13:14 NCR 1157	13:19 NCR 1652	L	Object	<b>06/17/99</b>				
21 NCAC 14P .0115		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99				14:05 NCR 402
21 NCAC 14P .0116		13:14 NCR 1157	13:19 NCR 1652	L	Object	<b>06/17/99</b>				

**CULTURAL RESOURCES**

7 NCAC 04S .0101	14:05 NCR 370									
7 NCAC 04S .0102	14:05 NCR 370									
7 NCAC 04S .0103	14:05 NCR 370									
7 NCAC 04S .0104	14:05 NCR 370									
7 NCAC 04S .0105	14:05 NCR 370									
7 NCAC 04S .0106	14:05 NCR 370									
7 NCAC 04S .0107	14:05 NCR 370									
7 NCAC 04S .0108	14:05 NCR 370									
7 NCAC 04S .0109	14:05 NCR 370									

**DENTAL EXAMINERS**

21 NCAC 16G .0101	13:10 NCR 804									
21 NCAC 16G .0102	13:10 NCR 804									
21 NCAC 16G .0103	13:10 NCR 804									
21 NCAC 16H .0101	12:24 NCR 2203									
21 NCAC 16H .0102	12:24 NCR 2203									

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21 NCAC 16H .0103	12:24 NCR 2203				13:15 NCR 1218	*				
21 NCAC 16H .0104	12:24 NCR 2203				13:15 NCR 1218	*				
21 NCAC 16H .0201	12:24 NCR 2203				13:15 NCR 1218	*				
21 NCAC 16H .0202	12:24 NCR 2203				13:15 NCR 1218	*				
21 NCAC 16H .0203	12:24 NCR 2203				13:15 NCR 1218	*				
21 NCAC 16H .0204	12:24 NCR 2203				13:15 NCR 1218	*				
21 NCAC 16H .0205	12:24 NCR 2203				13:15 NCR 1218	*				
21 NCAC 16H .0206	12:24 NCR 2203					*				
21 NCAC 16I .0004	11:20 NCR 1538									
21 NCAC 16I .0005	11:20 NCR 1538									
21 NCAC 16M .0101					13:11 NCR 910					
21 NCAC 16P .0101	13:10 NCR 804				13:15 NCR 1218					
21 NCAC 16P .0102	13:10 NCR 804					*				
21 NCAC 16P .0103	13:10 NCR 804						Object			
21 NCAC 16P .0104	13:10 NCR 804						Approve			
21 NCAC 16P .0105	13:10 NCR 804							06/17/99		
21 NCAC 16Q .0101	12:24 NCR 2203							07/15/99		
21 NCAC 16Q .0201	12:24 NCR 2203				13:15 NCR 1218					
21 NCAC 16Q .0202	12:24 NCR 2203				13:15 NCR 1218					
21 NCAC 16Q .0301	12:24 NCR 2203				13:15 NCR 1218					
21 NCAC 16Q .0302	12:24 NCR 2203				13:15 NCR 1218					
21 NCAC 16R .0002	11:20 NCR 1538									
21 NCAC 16R .0003	11:20 NCR 1538									
21 NCAC 16R .0005	11:20 NCR 1538									
21 NCAC 16S .0205	13:10 NCR 804				13:15 NCR 1218					
21 NCAC 16V .0101	13:10 NCR 804				13:15 NCR 1218					
21 NCAC 16V .0102	13:10 NCR 804				13:15 NCR 1218					

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**ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS**

21 NCAC 18B .0208	N/A								
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**EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF**

21 NCAC 11 .0101	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99			
21 NCAC 11 .0102	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Agcy. withdrew				
21 NCAC 11 .0103	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99			
21 NCAC 11 .0104	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99			
21 NCAC 11 .0105	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99			
21 NCAC 11 .0106	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99			
21 NCAC 11 .0107	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99			
21 NCAC 11 .0108	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99			
21 NCAC 11 .0109	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Object	01/21/99			
21 NCAC 11 .0110	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	02/18/99			
21 NCAC 11 .0111	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99	*		
21 NCAC 11 .0112	12/19 NCR 1764	12/21 NCR 1884	13/03 NCR 313	S/L	Approve	01/21/99			
15A NCAC 01J .0101			13/18 NCR 1528	13/22 NCR 1827					
15A NCAC 01J .0102			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0202			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0303			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0402			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0502			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0504			13/18 NCR 1528	13/22 NCR 1827					
15A NCAC 01J .0601			13/18 NCR 1528	13/22 NCR 1827					
15A NCAC 01J .0604			13/18 NCR 1528	13/22 NCR 1827					
15A NCAC 01J .0701			13/18 NCR 1528	13/22 NCR 1827	S/L				

**ENVIRONMENT AND NATURAL RESOURCES**

15A NCAC 01J .0101			13/18 NCR 1528	13/22 NCR 1827					
15A NCAC 01J .0102			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0202			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0303			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0402			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0502			13/18 NCR 1528	13/22 NCR 1827	S/L				
15A NCAC 01J .0504			13/18 NCR 1528	13/22 NCR 1827					
15A NCAC 01J .0601			13/18 NCR 1528	13/22 NCR 1827					
15A NCAC 01J .0604			13/18 NCR 1528	13/22 NCR 1827					
15A NCAC 01J .0701			13/18 NCR 1528	13/22 NCR 1827	S/L				

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15A NCAC 07H .0300	13:05 NCR 436				11:11 NCR 907	*				
15A NCAC 07H .0306	11:04 NCR 183									
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07M .0307	13:22 NCR 1818									
15A NCAC 07H .0309	13:05 NCR 436				13:13 NCR 1044	\$	Object	07/15/99		
15A NCAC 07H .1100	12:21 NCR 1873									
15A NCAC 07H .1200	12:21 NCR 1873									
15A NCAC 07H .1301	12:21 NCR 1873				13:23 NCR 1937	*				
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1601	12:21 NCR 1873				13:23 NCR 1937	*				
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1700	12:21 NCR 1873									
15A NCAC 07H .1805		13:07 NCR 593			13:16 NCR 1259	*	Object	07/15/99		
15A NCAC 07H .1901	12:21 NCR 1873				13:23 NCR 1937	*				
15A NCAC 07H .2101	13:05 NCR 436				13:13 NCR 1044	\$	Approve	07/15/99	*	
15A NCAC 07H .2102	13:05 NCR 436				13:13 NCR 1044	\$	Approve	07/15/99	*	
15A NCAC 07H .2105	13:05 NCR 436				13:13 NCR 1044	\$	Object	07/15/99		
15A NCAC 07H .2301	12:21 NCR 1873				13:23 NCR 1937	*				
15A NCAC 07H .2401	13:05 NCR 436				13:13 NCR 1044	\$	Approve	05/20/99	*	
15A NCAC 07H .2402	13:05 NCR 436				13:13 NCR 1044	\$	Approve	05/20/99	*	
15A NCAC 07H .2403	13:05 NCR 436				13:13 NCR 1044	\$	Approve	05/20/99		
15A NCAC 07H .2404	13:05 NCR 436				13:13 NCR 1044	\$	Object	05/20/99	*	
15A NCAC 07H .2405	13:05 NCR 436				13:13 NCR 1044	\$	Approve	06/17/99	*	
15A NCAC 07J .0200	12:24 NCR 2202									
15A NCAC 07J .0204					13:07 NCR 593		Temp Expired 06/28/99			
15A NCAC 07J .0405	12:24 NCR 2202									

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15A NCAC 07K .0203	12:21 NCR 1873				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07K .0208	12:21 NCR 1873				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07K .0209	12:21 NCR 1873				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07L .0202	12:21 NCR 1874				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07L .0203	12:21 NCR 1874				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07L .0206	12:21 NCR 1874				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07L .0302	12:21 NCR 1874				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07L .0304	12:21 NCR 1874				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07L .0401	12:21 NCR 1874				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07L .0405	12:21 NCR 1874				13:23 NCR 1937	*		14:02 NCR 74
15A NCAC 07M .0300	12:24 NCR 2202				13:16 NCR 1259	*		14:02 NCR 74
15A NCAC 07M .0401	13:04 NCR 361				13:12 NCR 976	*		14:02 NCR 74
15A NCAC 07M .0401	14:01 NCR 44				14:01 NCR 44	*		14:02 NCR 74
15A NCAC 07M .0402	13:04 NCR 361				13:12 NCR 976	*		14:02 NCR 74
15A NCAC 07M .0402	14:01 NCR 44				14:01 NCR 44	*		14:02 NCR 74
15A NCAC 07M .0403	13:04 NCR 361				13:12 NCR 976	*		14:02 NCR 74
15A NCAC 07M .0403	14:01 NCR 44				14:01 NCR 44	*		14:02 NCR 74
<b>Environmental Management Commission</b>								
<b>Notice of Intent to Adopt Temporary Rules (Tar-Pamlico River Basin)</b>								
15A NCAC 02	10:24 NCR 3045							
15A NCAC 02	11:04 NCR 1833							
15A NCAC 02	11:19 NCR 1408							
15A NCAC 02B .0100	13:08 NCR 621							
15A NCAC 02B .0101	11:24 NCR 1818							
15A NCAC 02B .0200	13:08 NCR 621							
15A NCAC 02B .0202	11:24 NCR 1818							
15A NCAC 02B .0223	11:02 NCR 75							

14:05 NCR 369

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15A NCAC 02B .0223	11.03 NCR 109									
15A NCAC 02B .0225	13.19 NCR 1606				13.23 NCR 1929		*			
15A NCAC 02B .0227	10.18 NCR 2400				11.12 NCR 973		*			
15A NCAC 02B .0230	11.24 NCR 1818				11.30 NCR 2303		*			
15A NCAC 02B .0231	11.02 NCR 75				11.10 NCR 824					
					11.14 NCR 1136					
15A NCAC 02B .0233	11.02 NCR 75				11.10 NCR 824					
					12.02 NCR 77					
					12.14 NCR 1348					
					12.20 NCR 1836					
					13.24 NCR 2017					
					14.04 NCR 287					
					12.06 NCR 462					
15A NCAC 02B .0241	14.03 NCR 125				14.04 NCR 287					
15A NCAC 02B .0242					13.24 NCR 2017					
15A NCAC 02B .0245	12.23 NCR 2088				13.04 NCR 368					
15A NCAC 02B .0246	12.23 NCR 2088				13.04 NCR 368					
15A NCAC 02B .0247	12.23 NCR 2088				13.04 NCR 368					
15A NCAC 02B .0255	13.23 NCR 1901				14.03 NCR 162					
15A NCAC 02B .0256	13.23 NCR 1901				14.03 NCR 162					
15A NCAC 02B .0257	13.23 NCR 1901				14.03 NCR 162					
15A NCAC 02B .0258	13.23 NCR 1901				14.03 NCR 162					
15A NCAC 02B .0259	13.23 NCR 1901				14.03 NCR 162					
15A NCAC 02B .0260	13.23 NCR 1901				14.03 NCR 162					
15A NCAC 02B .0261	13.23 NCR 1901				14.03 NCR 162					
15A NCAC 02B .0262	13.23 NCR 1901				13.20 NCR 1727					
15A NCAC 02B .0303	13.14 NCR 1111									
15A NCAC 02B .0304	13.14 NCR 1111				13.20 NCR 1727					
15A NCAC 02B .0306	13.14 NCR 1111				13.20 NCR 1727					
15A NCAC 02B .0306	13.19 NCR 1606				13.23 NCR 1929					

Disapproved (HB 1402)

\*

01/15/98

Object

Approve

02/19/98

14.02 NCR 73

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15A NCAC 02B .0308	12:16 NCR 1489								
15A NCAC 02B .0308	13:14 NCR 1111					13:20 NCR 1727	*		
15A NCAC 02B .0310	13:19 NCR 1606					13:23 NCR 1929	*		
15A NCAC 02B .0316	11:26 NCR 1976					12:01 NCR 6			
15A NCAC 02B .0317	13:19 NCR 1606					13:23 NCR 1929	*		
15A NCAC 02D	13:12 NCR 943								
15A NCAC 02D 0101	12:02 NCR 52								
15A NCAC 02D .0101	12:16 NCR 1482								
15A NCAC 02D .0108	11:15 NCR 1200								
15A NCAC 02D .0307	11:15 NCR 1200								
15A NCAC 02D .0501	11:15 NCR 1200								
15A NCAC 02D .0501	11:04 NCR 183								
15A NCAC 02D .0501	13:16 NCR 1252								
15A NCAC 02D .0506	14:04 NCR 265								
15A NCAC 02D .0518	11:19 NCR 1408								
15A NCAC 02D .0521	11:15 NCR 1200								
15A NCAC 02D .0521	14:04 NCR 265								
15A NCAC 02D .0523	13:12 NCR 943					14:03 NCR 162	*		
15A NCAC 02D .0524	11:15 NCR 1200								
15A NCAC 02D .0524	13:08 NCR 621					14:03 NCR 162	*		
15A NCAC 02D .0525	11:15 NCR 1200								
15A NCAC 02D .0540	13:04 NCR 356								
15A NCAC 02D .0541	13:08 NCR 621								
15A NCAC 02D .0541	13:16 NCR 1252								
15A NCAC 02D .0542	13:24 NCR 1994								
15A NCAC 02D .0610	11:15 NCR 1200								
15A NCAC 02D .0611	11:15 NCR 1200								

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15A NCAC 02D .0612		11:15 NCR 1200								
15A NCAC 02D .0613		11:15 NCR 1200								
15A NCAC 02D .0614		11:15 NCR 1200								
15A NCAC 02D .0615		11:15 NCR 1200								
15A NCAC 02D .0806		11:26 NCR 1976								
15A NCAC 02D .0902		11:19 NCR 1408								
15A NCAC 02D .0903		11:15 NCR 1200								
15A NCAC 02D .0909		11:19 NCR 1408								
15A NCAC 02D .0912		11:15 NCR 1200								
15A NCAC 02D .0917		11:19 NCR 1408								
15A NCAC 02D .0918		11:19 NCR 1408								
15A NCAC 02D .0919		11:19 NCR 1408								
15A NCAC 02D .0920		11:19 NCR 1408								
15A NCAC 02D .0921		11:19 NCR 1408								
15A NCAC 02D .0922		11:19 NCR 1408								
15A NCAC 02D .0923		11:19 NCR 1408								
15A NCAC 02D .0924		11:19 NCR 1408								
15A NCAC 02D .0926		13:16 NCR 1252								
15A NCAC 02D .0927		13:16 NCR 1252								
15A NCAC 02D .0932		13:16 NCR 1252								
15A NCAC 02D .0934		11:19 NCR 1408								
15A NCAC 02D .0948		11:19 NCR 1408								
15A NCAC 02D .0949		11:19 NCR 1408								
15A NCAC 02D .0950		11:19 NCR 1408								
15A NCAC 02D .0951		11:19 NCR 1408								
15A NCAC 02D .0952		12:16 NCR 1482								
15A NCAC 02D .0954		11:15 NCR 1200								

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15A NCAC 02D .1005 14:04 NCR 265  
 15A NCAC 02D .1100 11:08 NCR 442  
 15A NCAC 02D .1103 13:04 NCR 356  
 15A NCAC 02D .1103 14:04 NCR 265  
 15A NCAC 02D .1104 13:04 NCR 356  
 15A NCAC 02D .1104 13:16 NCR 1252  
 15A NCAC 02D .1105 11:15 NCR 1200  
 15A NCAC 02D .1106 11:26 NCR 1976  
 15A NCAC 02D .1200 14:04 NCR 265  
 15A NCAC 02D .1201 13:12 NCR 943  
 15A NCAC 02D .1202 13:12 NCR 943  
 15A NCAC 02D .1203 13:12 NCR 943  
 15A NCAC 02D .1204 13:12 NCR 943  
 15A NCAC 02D .1205 13:12 NCR 943  
 15A NCAC 02D .1206 13:12 NCR 943  
 15A NCAC 02D .1207 13:12 NCR 943  
 15A NCAC 02D .1208 13:12 NCR 943  
 15A NCAC 02D .1209 13:12 NCR 943  
 15A NCAC 02D .1201 13:16 NCR 1252  
 15A NCAC 02D .1202 13:16 NCR 1252  
 15A NCAC 02D .1203 13:16 NCR 1252  
 15A NCAC 02D .1204 13:16 NCR 1252  
 15A NCAC 02D .1205 13:16 NCR 1252  
 15A NCAC 02D .1206 13:16 NCR 1252  
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 15A NCAC 02D .1208 13:16 NCR 1252  
 15A NCAC 02D .1209 13:16 NCR 1252

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15A NCAC 02D.1400			13:24 NCR 1994							
15A NCAC 02D.1404			11:15 NCR 1200							
15A NCAC 02D.1700			12:02 NCR 52							
15A NCAC 02D.1703			13:16 NCR 1252							
15A NCAC 02D.1801			13:18 NCR 1545		14:03 NCR 162		SE			
			13:22 NCR 1860		14:03 NCR 162		SE			
15A NCAC 02D.1802			13:18 NCR 1545		14:03 NCR 162		SE			
			13:22 NCR 1860		14:03 NCR 162		SE			
15A NCAC 02D.1803			13:18 NCR 1545		14:03 NCR 162		SE			
			13:22 NCR 1860		14:03 NCR 162		SE			
15A NCAC 02D.1804			13:18 NCR 1545		14:03 NCR 162		SE			
			13:24 NCR 2017							
15A NCAC 02D.1903			12:16 NCR 1482							
15A NCAC 02D.1903			13:12 NCR 943							
15A NCAC 02D.1904			12:16 NCR 1482							
15A NCAC 02D.2100			13:04 NCR 356							
15A NCAC 02D.2200			11:26 NCR 1976							
15A NCAC 02E.0102			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0103			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0106			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0107			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0201			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0202			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0205			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0501			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0502			13:20 NCR 1715		13:24 NCR 1998					
15A NCAC 02E.0503			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02E.0504			13:20 NCR 1715		13:24 NCR 1998		*			
15A NCAC 02H.0226			12:20 NCR 1817		13:04 NCR 426		13:05 NCR 491			

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15A NCAC 02Q .0702	13:12 NCR 943				13:20 NCR 1727		*			
15A NCAC 02Q .0703	13:04 NCR .356				14:03 NCR 162		*			
15A NCAC 02Q .0703	14:04 NCR 265									
15A NCAC 02Q .0711	13:04 NCR .356									
15A NCAC 02Q .0711	13:16 NCR 1252									
15A NCAC 02Q .0800	14:04 NCR 265									
15A NCAC 02R .0204	12:02 NCR 52				12:14 NCR 1267		S			
15A NCAC 02R .0205	12:02 NCR 52				12:14 NCR 1267		S			
15A NCAC 02R .0600	12:02 NCR 52									
15A NCAC 02S	14:04 NCR 272									
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15A NCAC 13A .0101	14:04 NCR 265									
15A NCAC 13A .0102	14:05 NCR .370									
15A NCAC 13A .0103	14:04 NCR 265									
15A NCAC 13A .0103	14:05 NCR .370									
15A NCAC 13A .0104	14:04 NCR 265									
15A NCAC 13A .0106	14:04 NCR 265									
15A NCAC 13A .0108	14:04 NCR 265									
15A NCAC 13A .0110	14:04 NCR 265									
15A NCAC 13A .0112	14:04 NCR 265									
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B .1800	11:26 NCR 1976									
15A NCAC 13B .1800	11:13 NCR 1055						*			

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15A NCAC 18A .1104	NCR 183									
15A NCAC 18A .0432					12:14 NCR 1352					
15A NCAC 18A .1000					13:16 NCR 1252					
15A NCAC 18A .1300					13:16 NCR 1252					
15A NCAC 18A .1600					13:16 NCR 1252					
15A NCAC 18A .1601					12:21 NCR 1882	Temp Expired 01/26/99				
15A NCAC 18A .1611					12:21 NCR 1882	Temp Expired 01/26/99				
					13:12 NCR 979	13:20 NCR 1738	*			
					Temp Expired 01/26/99					
15A NCAC 18A .1700					12:18 NCR 1713	Temp Expired 12/11/98				
15A NCAC 18A .1720					12:21 NCR 1882	Temp Expired 01/26/99				
					12:24 NCR 2228	Temp Expired 03/12/99				
15A NCAC 18A .1808					13:13 NCR 1047	*				14:02 NCR 84
15A NCAC 18A .1810					13:13 NCR 1047	*				14:02 NCR 84
15A NCAC 18A .1812					13:13 NCR 1047	*				14:02 NCR 84
15A NCAC 18A .1952					14:03 NCR 234	*				
15A NCAC 18A .1953					14:03 NCR 234	*				
15A NCAC 18A .1954					14:03 NCR 234	*				
15A NCAC 18A .1955					14:03 NCR 234	*				
15A NCAC 18A .2515					14:04 NCR 265					
15A NCAC 18A .2400					13:16 NCR 1252					
15A NCAC 18A .2600					12:04 NCR 240					
15A NCAC 18A .2805					12:16 NCR 1482					
15A NCAC 18A .2806					12:16 NCR 1482					
15A NCAC 18A .2807					12:16 NCR 1482					
15A NCAC 18A .2809					12:16 NCR 1482					
15A NCAC 18A .2811					12:16 NCR 1482					
15A NCAC 18A .2814					12:16 NCR 1482					

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15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2818	12:16 NCR 1482									
15A NCAC 18A .2821	12:16 NCR 1482									
15A NCAC 18A .2826	12:16 NCR 1482									
15A NCAC 18A .2835	12:16 NCR 1482									
15A NCAC 18A .2836	12:16 NCR 1482									
15A NCAC 18C .0301	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .0302	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .0303	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .0304	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .0305	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .0306	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .0307	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .0308	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .0309	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .1304	13:04 NCR 356				14.03 NCR 247					
15A NCAC 18C .1538	14:05 NCR 370									
15A NCAC 18C .2007	14:05 NCR 370									
15A NCAC 18C .2008	14:05 NCR 370									
15A NCAC 18D .0201	13:23 NCR 1928									
15A NCAC 18D .0203	13:23 NCR 1928									
15A NCAC 18D .0205	13:23 NCR 1928									
15A NCAC 18D .0206	13:23 NCR 1928									
15A NCAC 18D .0304	13:23 NCR 1928									
15A NCAC 18D .0307	13:23 NCR 1928									
15A NCAC 18D .0308	13:23 NCR 1928									
15A NCAC 18D .0309	13:23 NCR 1928									

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15A NCAC 031 .0120	13:14 NCR 1113				14:01 NCR 18					
15A NCAC 031 .0103					13:08 NCR 739					
15A NCAC 031 .0103	13:14 NCR 1113				14:01 NCR 18					
15A NCAC 031 .0104	13:14 NCR 1113				14:01 NCR 18					
15A NCAC 031 .0110	13:14 NCR 1113				14:01 NCR 18					
15A NCAC 031 .0202	11:07 NCR 407					11:11 NCR 888				
15A NCAC 031 .0301	13:14 NCR 1113					14:01 NCR 18				
15A NCAC 031 .0302	13:14 NCR 1113					14:01 NCR 18				
15A NCAC 031 .0305	13:14 NCR 1113					14:01 NCR 18				
15A NCAC 03K .0101	13:14 NCR 1113					14:01 NCR 18				
15A NCAC 03K .0105	13:14 NCR 1113					14:01 NCR 18				
15A NCAC 03K .0106	13:14 NCR 1113					14:01 NCR 18				
15A NCAC 03K .0202	13:14 NCR 1113					14:01 NCR 18				
15A NCAC 03K .0502	13:14 NCR 1113					14:01 NCR 18				
15A NCAC 03L .0102	11:07 NCR 407						11:11 NCR 888			
15A NCAC 03L .0201	13:14 NCR 1113						14:01 NCR 18			
15A NCAC 03L .0206	13:14 NCR 1113						14:01 NCR 18			
15A NCAC 03M .0202	13:14 NCR 1113						14:01 NCR 18			
15A NCAC 03M .0301	13:14 NCR 1113						14:01 NCR 18			
15A NCAC 03M .0501	13:14 NCR 1113						13:08 NCR 739			
15A NCAC 03M .0503	13:14 NCR 1113						14:01 NCR 18			
15A NCAC 03M .0504	13:14 NCR 1113						14:01 NCR 18			
15A NCAC 03M .0506							13:22 NCR 1865			
15A NCAC 03M .0507	13:10 NCR 803									
15A NCAC 03M .0507	13:14 NCR 1113						14:01 NCR 18			
15A NCAC 03M .0511	13:14 NCR 1113						14:01 NCR 18			
15A NCAC 03M .0513	11:26 NCR 1976						12:05 NCR 418			

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15A NCAC 03M .0513

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15A NCAC 03M.0513 13:14 NCR 1113			14:01 NCR 18							
		14:04 NCR 323								
15A NCAC 03M.0513 13:19 NCR 1666			13:19 NCR 1666							
15A NCAC 03M.0515 12:23 NCR 2089					13:03 NCR 303		*			
15A NCAC 03M.0515 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03M.0516 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0101 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0102 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0103 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0104 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0105 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0106 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0107 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0108 13:14 NCR 1113			14:01 NCR 18							
		14:04 NCR 323								
15A NCAC 03O 0109 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0110 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0111 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0201 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0301 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0302 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0303 13:14 NCR 1113			14:04 NCR 323							
		14:01 NCR 18								
15A NCAC 03O 0304 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0305 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0306 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0307 13:14 NCR 1113			14:01 NCR 18							
15A NCAC 03O 0308 13:14 NCR 1113			14:01 NCR 18							

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15A NCAC 030 .0309	13.14 NCR 1113				14.01 NCR 18					
15A NCAC 030 .0310	13.14 NCR 1113				14.01 NCR 18					
15A NCAC 030 .0401	13.14 NCR 1113				13.18 NCR 1553					
15A NCAC 030 .0402	13.14 NCR 1113				13.18 NCR 1553					
15A NCAC 030 .0403	13.14 NCR 1113				13.18 NCR 1553					
15A NCAC 030 .0404	13.14 NCR 1113				13.18 NCR 1553					
15A NCAC 030 .0405	13.14 NCR 1113				13.18 NCR 1553					
15A NCAC 030 .0406	13.14 NCR 1113				13.18 NCR 1553					
15A NCAC 03P .0101	N/A				N/A		Approve	07/15/99		
15A NCAC 03P .0102	N/A				N/A		Approve	07/15/99		
15A NCAC 03Q .0106	N/A				N/A		Approve	06/17/99		
15A NCAC 03Q .0107	11.26 NCR 1985				13.13 NCR 1043	*	Approve	05/20/99		
<b>Parks and Recreation Commission</b>										
15A NCAC 12A .0001	12.13 NCR 1097									
15A NCAC 12A .0004	12.13 NCR 1097									
15A NCAC 12A .0005	12.13 NCR 1097									
15A NCAC 12B .0101	12.13 NCR 1097									
15A NCAC 12B .0104	12.13 NCR 1097									
15A NCAC 12B .0106	12.13 NCR 1097									
15A NCAC 12B .0203	12.13 NCR 1097									
15A NCAC 12B .0401	12.13 NCR 1097									
15A NCAC 12B .0402	12.13 NCR 1097									
15A NCAC 12B .0501	12.13 NCR 1097									
15A NCAC 12B .0602	12.13 NCR 1097									
15A NCAC 12B .0701	12.13 NCR 1097									
15A NCAC 12B .0702	12.13 NCR 1097									
15A NCAC 12B .0802	12.13 NCR 1097									

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Water Pollution Control System Operators	
15A NCAC 12B .1001	12:13 NCR 1097
15A NCAC 12B .1004	12:13 NCR 1097
15A NCAC 12B .1102	12:13 NCR 1097
15A NCAC 12B .1201	12:13 NCR 1097
15A NCAC 08E	11:26 NCR 1976
15A NCAC 08F	11:26 NCR 1976
15A NCAC 08F .0406	13:16 NCR 1252
15A NCAC 08F .0407	13:16 NCR 1252
Waste Management	
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15A NCAC 27 .0101	13:10 NCR 803
15A NCAC 27 .0110	13:10 NCR 803
15A NCAC 27 .0201	13:10 NCR 803
15A NCAC 27 .0301	13:10 NCR 803
15A NCAC 27 .0401	13:10 NCR 803
15A NCAC 27 .0410	13:10 NCR 803
15A NCAC 27 .0420	13:10 NCR 803
15A NCAC 27 .0430	13:10 NCR 803
15A NCAC 27 .0440	13:10 NCR 803
15A NCAC 27 .0501	13:10 NCR 803
15A NCAC 27 .0510	13:10 NCR 803
15A NCAC 27 .0520	13:10 NCR 803
15A NCAC 27 .0601	13:10 NCR 803
15A NCAC 27 .0701	13:10 NCR 803
15A NCAC 27 .0801	13:10 NCR 803

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15A NCAC 10C .0503	13:14 NCR 1113				13:20 NCR 1737	*				14:02 NCR 84
15A NCAC 10D .0102	13:08 NCR 625		13:19 NCR 1666		13:12 NCR 948	*	Approve		04/15/99	
15A NCAC 10D .0102	13:19 NCR 1609									
15A NCAC 10D .0103	13:08 NCR 625		13:19 NCR 1666		13:12 NCR 948	*	Approve		04/15/99	*
15A NCAC 10D .0103	13:08 NCR 625									
15A NCAC 10D .0103	13:19 NCR 1609				14:01 NCR 6	*				
15A NCAC 10F .0201	N/A									
15A NCAC 10F .0300	13:14 NCR 1113									
15A NCAC 10F .0300	14:01 NCR 5									
15A NCAC 10F .0303	12:19 NCR 1763									
15A NCAC 10F .0403	14:02 NCR 79									
15A NCAC 10F .0310	13:07 NCR 595		13:15 NCR 1231		13:11 NCR 905	L	Approve		02/18/99	*
15A NCAC 10F .0317	13:08 NCR 625				13:14 NCR 1116	*	Approve		04/15/99	
15A NCAC 10F .0321	13:13 NCR 1040		13:19 NCR 1666		13:19 NCR 1666	L				
15A NCAC 10F .0323	13:13 NCR 1040		13:19 NCR 1666		13:19 NCR 1666	L				
15A NCAC 10F .0330	13:03 NCR 269		13:07 NCR 595		13:07 NCR 595	S/L	Approve		04/15/99	14:02 NCR 84
15A NCAC 10F .0330	13:11 NCR 855		13:15 NCR 1217		13:15 NCR 1231	L	Approve		04/15/99	14:02 NCR 84
15A NCAC 10F .0333	14:02 NCR 79									
15A NCAC 10F .0339	13:13 NCR 1040		13:19 NCR 1666		13:19 NCR 1666	L				
15A NCAC 10F .0339	13:23 NCR 1928									
15A NCAC 10F .0342	13:07 NCR 5855		13:15 NCR 1231		13:11 NCR 905	L	Approve		02/18/99	*
15A NCAC 10F .0353	14:02 NCR 79									
15A NCAC 10F .0354	14:02 NCR 79									
15A NCAC 10F .0355	14:04 NCR 272									
15A NCAC 10F .0359	12:19 NCR 1763									
15A NCAC 10F .0367	13:14 NCR 1113		13:19 NCR 1666		13:19 NCR 1666	L				

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Voluntary Rights Act

14:02 NCR 75

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14:03 NCR 123

STORYES' U.S. BOARD OF REGISTRATION FOR

21 NCAC 20 .0101	13.19 NCR 1695	13.23 NCR 1942	*
21 NCAC 20 .0103	13.19 NCR 1695	13.23 NCR 1942	*
21 NCAC 20 .0104	13.19 NCR 1695	13.23 NCR 1942	*
21 NCAC 20 .0105	13.19 NCR 1695	13.23 NCR 1942	*
21 NCAC 20 .0106	13.19 NCR 1695	13.23 NCR 1942	*
21 NCAC 20 .0117	13.19 NCR 1695	13.23 NCR 1942	*
21 NCAC 20 .0120	13.19 NCR 1695	13.23 NCR 1942	*
21 NCAC 20 .0122	13.19 NCR 1695	13.23 NCR 1942	*
21 NCAC 20 .0123	13.19 NCR 1695	13.23 NCR 1942	*
<b>GENERAL CONTRACTORS LICENSING BOARD</b>			
21 NCAC 12 .0202	13.22 NCR 1821	13.06 NCR 568	*
21 NCAC 12 .0204	13.22 NCR 1821	13.13 NCR 1048	Approve (5/20/99)
21 NCAC 12 .0204	13.22 NCR 1821	13.13 NCR 1048	Approve (5/20/99)
21 NCAC 12 .0205	13.22 NCR 1821	13.06 NCR 568	*
21 NCAC 12 .0307	13.22 NCR 1821	13.13 NCR 1048	Approve (5/20/99)
21 NCAC 12 .0402	13.22 NCR 1821	13.18 NCR 1524	*
21 NCAC 12 .0405	13.22 NCR 1821	13.24 NCR 2015	*
21 NCAC 12 .0410	13.22 NCR 1821	13.18 NCR 1524	*
21 NCAC 12 .0503	11:28 NCR 2117	13.24 NCR 2015	*
21 NCAC 12 .0504	11:28 NCR 2117	13.24 NCR 2015	*
21 NCAC 12 .0504	13.13 NCR 1040	13.24 NCR 2015	*
21 NCAC 12 .0901	13.22 NCR 1821	13.24 NCR 2015	*
21 NCAC 12 .0902	11:28 NCR 2117	13.24 NCR 2015	*
21 NCAC 12 .0905	11:28 NCR 2117	13.24 NCR 2015	*

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21 NCAC 12 .0906			11-28 NCR 2117							
21 NCAC 12 .0907			11-28 NCR 2117							
21 NCAC 12 .0907			13-22 NCR 1821							
21 NCAC 12 .0908			11-28 NCR 2117							
21 NCAC 12 .0909			11-28 NCR 2117							
21 NCAC 12 .0910			11-28 NCR 2117							
21 NCAC 12 .0911			11-28 NCR 2117							
21 NCAC 12 .0912			11-28 NCR 2117							

**GEOLOGISTS, BOARD FOR LICENSING OF**

21 NCAC 21 .0501	14-05 NCR 372									
21 NCAC 21 .0514	14-05 NCR 372									
21 NCAC 21 .0515	14-05 NCR 372									
21 NCAC 21 .1101	14-05 NCR 372									
21 NCAC 21 .1102	14-05 NCR 372									

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Number 152 - Eff. 05/21/99										
Number 153 - Eff. 05/28/99										

**GOVERNOR, OFFICE OF**

9 NCAC 05G .0101	14-03 NCR 245									
9 NCAC 05G .0102	14-03 NCR 245									
9 NCAC 05G .0103	14-03 NCR 245									
9 NCAC 05G .0104	14-03 NCR 245									

**HEALTH AND HUMAN SERVICES**

Aging										
10 NCAC 22	10-23 NCR 2956									
Blind/State Rehabilitation Council, Commission for the										
10 NCAC 19G .0823	13-17 NCR 1378									

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10 NCAC 03R .4203			13:14 NCR 1119	14:04 NCR 279	*				
10 NCAC 03R .6001	11:22 NCR 1704		12:15 NCR 1431 Temp Expired 04/15/99	13:02 NCR 178		S/L/SE	Object Object Returned to Acy 04/15/99	10/22/98 12/17/98	
10 NCAC 03R .6112			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6201			13:14 NCR 1110	14:03 NCR 130	*				
10 NCAC 03R .6202			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6203			14:04 NCR 314						
10 NCAC 03R .6204			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6205			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6206			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6207			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6208			13:14 NCR 1119	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6209			13:14 NCR 1119	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6210			14:04 NCR 314						
10 NCAC 03R .6211			13:14 NCR 1119	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6212			13:14 NCR 1119	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6213			13:14 NCR 1119	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6214			13:14 NCR 1119	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6215			13:14 NCR 1119	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6216			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6217			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6218			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6219			13:14 NCR 1119	14:03 NCR 130	*				
10 NCAC 03R .6220			13:14 NCR 1119	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6221			14:04 NCR 314	14:03 NCR 130	S/L/SE				
10 NCAC 03R .6222			13:14 NCR 1119	14:03 NCR 130	S/L/SE				

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10 NCAC 03R .6223			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6224			13:14 NCR 1119	14:03 NCR 130		S/L/SE				
10 NCAC 03R .6225			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6226			13:14 NCR 1119	14:03 NCR 130		S/L/SE				
10 NCAC 03R .6227			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6228			13:14 NCR 1119	14:03 NCR 130		S/L/SE				
10 NCAC 03R .6229			13:14 NCR 1119	14:03 NCR 130		S/L/SE				
10 NCAC 03R .6230			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6231			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6232			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6233			13:14 NCR 1119	14:03 NCR 130		S/L/SE				
10 NCAC 03R .6234			13:14 NCR 1119	14:03 NCR 130		S/L/SE				
10 NCAC 03R .6235			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6236			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6237			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6238			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6239			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6240			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03R .6241			13:14 NCR 1119	14:03 NCR 130		*				
10 NCAC 03S .0108		12:24 NCR 2194			14:05 NCR 374	*				
10 NCAC 03S .0109		12:24 NCR 2194			14:05 NCR 374	*				
10 NCAC 03S .0207		12:24 NCR 2194			14:05 NCR 374	*				
10 NCAC 03S .0208		12:24 NCR 2194			14:05 NCR 374	*				
10 NCAC 03S .0209		12:24 NCR 2194			14:05 NCR 374	*				
10 NCAC 03S .0210		12:24 NCR 2194			14:05 NCR 374	*				
10 NCAC 03S .0211		12:24 NCR 2194			14:05 NCR 374	*				
10 NCAC 03S .0213		12:24 NCR 2194			14:05 NCR 374	*				

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10 NCAC 03S .0214		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0307		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0308		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0407		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0408		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0506		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0507		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0508		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0509		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0510		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0511		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0614		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0615		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0616		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0617		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0618		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0619		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0706		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0807		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0808		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0901		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0902		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0903		12-24 NCR 2194		14.05 NCR 374		*			
10 NCAC 03S .0904		12-24 NCR 2194		14.05 NCR 374		*			
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10 NCAC 03S .1002		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1003		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1004		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1005		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1006		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1101		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1201		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1202		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1203		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1204		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1205		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1206		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1207		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1301		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1302		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1303		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1401		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1501		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1601		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1701		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1702		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1801		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1802		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1803		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1804		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1805		12:24 NCR 2194			14.05 NCR .374		*			
10 NCAC 03S .1806		12:24 NCR 2194			14.05 NCR .374		*			

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10 NCAC 035 .1901	12:24 NCR 2194	14:05 NCR 374
10 NCAC 035 .1902	12:24 NCR 2194	14:05 NCR 374
10 NCAC 035 .1903	12:24 NCR 2194	14:05 NCR 374
10 NCAC 035S .2001	12:24 NCR 2194	14:05 NCR 374
10 NCAC 035S .2002	12:24 NCR 2194	14:05 NCR 374
10 NCAC 035S .2101	12:24 NCR 2194	14:05 NCR 374
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10 NCAC 035 .2105	12:24 NCR 2194	14:05 NCR 374
10 NCAC 035 .2106	12:24 NCR 2194	14:05 NCR 374
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15A NCAC 16A .1104	13:14 NCR 1114	14:01 NCR 12
15A .CAC 16A .1106	13:14 NCR 1114	14:01 NCR 12
15A NCAC 19A .0401	13:11 NCR 855	13:24 NCR 2034
15A NCAC 19A .0401	13:22 NCR 1818	13:24 NCR 2034
15A NCAC 19A .0404	13:11 NCR 855	13:24 NCR 2004
15A NCAC 19A .0404	13:22 NCR 1818	13:24 NCR 2004
15A NCAC 19A .0406	13:11 NCR 855	13:24 NCR 2004
15A NCAC 19A .0406	13:22 NCR 1818	13:24 NCR 2004
15A NCAC 19A .0502	13:11 NCR 855	13:24 NCR 2004
15A NCAC 19A .0502	13:22 NCR 1818	13:24 NCR 2004
15A NCAC 21F .1201	14:03 NCR 126	
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15A NCAC 21H .0110	12:20 NCR 1822	
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15A NCAC 21H .0111	12:20 NCR 1822		13:07 NCR 591		S		Approve	01/21/99	*	
15A NCAC 21H .0113	12:20 NCR 1822		13:07 NCR 591		*		Approve	01/21/99		
15A NCAC 21H .0314	14:03 NCR 126									
15A NCAC 21I .0102	14:04 NCR 272									
15A NCAC 21I .0103	14:04 NCR 272									
15A NCAC 21J .0103	14:04 NCR 272									
15A NCAC 23 .0201	13:22 NCR 1820									
15A NCAC 23 .0202	13:22 NCR 1820		13:18 NCR 1555		14:02 NCR 80		S/L			
15A NCAC 23 .0204	13:22 NCR 1820				14:02 NCR 80		*			
15A NCAC 23 .0501	13:22 NCR 1820				14:02 NCR 80		*			
15A NCAC 24A .0402	14:03 NCR 126									
15A NCAC 24A .0403	14:03 NCR 126									
15A NCAC 26C	13:22 NCR 1820									
15A NCAC 26C .0101	13:22 NCR 1820				14:01 NCR 12		*			
15A NCAC 26C .0102	13:22 NCR 1820				14:01 NCR 12		*			
15A NCAC 26C .0103	13:22 NCR 1820				14:01 NCR 12		*			
15A NCAC 26C .0104	13:22 NCR 1820				14:01 NCR 12		*			
15A NCAC 26C .0105	13:22 NCR 1820				14:01 NCR 12		*			
15A NCAC 26C .0106	13:22 NCR 1820				14:01 NCR 12		*			
15A NCAC 26C .0107	13:22 NCR 1820				14:01 NCR 12		*			
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10 NCAC 26B .0113	14:01 NCR 4		14:04 NCR 319							
10 NCAC 26D .0110	12:06 NCR 444									
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0212			12:09 NCR 827							
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10 NCAC 26H .0213			12:13 NCR 733						
10 NCAC 26H .0213		12:26 NCR 1997							
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10 NCAC 26H .0304		13:03 NCR 316	13:08 NCR 668	\$1L	Object Approve	12/17/98 01/21/99	*		13:22 NCR 1868
10 NCAC 26H .0304		14:05 NCR 394							
10 NCAC 26H .0401		13:02 NCR 248	13:12 NCR 947	*	Approve	02/18/99	*		13:24 NCR 2037
10 NCAC 26I .0101		13:02 NCR 175							
10 NCAC 26K .0106		12:05 NCR 337							
10 NCAC 26K .0106		12:06 NCR 444							
10 NCAC 26M .0203		12:05 NCR 337							
10 NCAC 26M .0204		12:06 NCR 444							
10 NCAC 26M .0301		14:04 NCR 319							
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10 NCAC 50A .0604		12:06 NCR 444							
10 NCAC 50B .0102		13:18 NCR 1526							
10 NCAC 50B .0202		12:06 NCR 444							
10 NCAC 50B .0302		13:02 NCR 175							
10 NCAC 50B .0305		14:03 NCR 246							
10 NCAC 50B .0311		13:03 NCR 268							
10 NCAC 50B .0313		13:02 NCR 175							
10 NCAC 50B .0313		13:10 NCR 806		*	Approve	02/18/99	*		13:24 NCR 2037
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10 NCAC 42B .1201			14:05 NCR 370						
10 NCAC 42B .1212			14:05 NCR 370						
10 NCAC 42B .1213			14:05 NCR 370						
10 NCAC 42B .1214			14:05 NCR 370						
10 NCAC 42B .1215			14:05 NCR 370						
10 NCAC 42B .1707			14:05 NCR 370						
10 NCAC 42B .1803			14:05 NCR 370						
10 NCAC 42B .2013			14:05 NCR 370						
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10 NCAC 42B .2501			14:05 NCR 370						
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10 NCAC 42C .2207			14:05 NCR 370						
10 NCAC 42C .2214			14:05 NCR 370						
10 NCAC 42C .2501			14:05 NCR 370						
10 NCAC 42C .2505			14:05 NCR 370						
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10 NCAC 42C .2703			14:05 NCR 370						
10 NCAC 42C .3401			14:05 NCR 370						
10 NCAC 42C .3402			14:05 NCR 370						
10 NCAC 42C .3701			14:05 NCR 370						
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10 NCAC 42C .3802			14-05 NCR 370						
10 NCAC 42C .3803			14-05 NCR 370						
10 NCAC 42C .3804			14-05 NCR 370						
10 NCAC 42C .3805			14-05 NCR 370						
10 NCAC 42C .3806			14-05 NCR 370						
10 NCAC 42C .3807			14-05 NCR 370						
10 NCAC 42C .3808			14-05 NCR 370						
10 NCAC 42C .3809			14-05 NCR 370						
10 NCAC 42C .3810			14-05 NCR 370						
10 NCAC 42C .3901			14-05 NCR 370						
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10 NCAC 42C .3903			14-05 NCR 370						
10 NCAC 42D 1301			14-05 NCR 370						
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10 NCAC 42D 1401			14-05 NCR 370						
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10 NCAC 42D 1407			14-05 NCR 370						
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10 NCAC 42D 1832			14.05 NCR 370							
10 NCAC 42D 1833			14.05 NCR 370							
10 NCAC 42D 1901			14.05 NCR 370							
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10 NCAC 42D 1905			14.05 NCR 370							
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10 NCAC 42D 2003			14.05 NCR 370							
10 NCAC 42D 2004			14.05 NCR 370							
10 NCAC 42D 2005			14.05 NCR 370							
10 NCAC 42D 2006			14.05 NCR 370							
10 NCAC 42D 2007			14.05 NCR 370							
10 NCAC 42D 2008			14.05 NCR 370							
10 NCAC 42D 2009			14.05 NCR 370							
10 NCAC 42D 2010			14.05 NCR 370							
10 NCAC 42D 2011			14.05 NCR 370							
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10 NCAC 42D 2102			14.05 NCR 370							

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10 NCAC 14V .0804	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						13:22 NCR 1868
10 NCAC 14V .0805	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						13:24 NCR 2037
10 NCAC 14V .3800	12:20 NCR 1820									13:22 NCR 1868
10 NCAC 14V .4000	12:20 NCR 1820									13:22 NCR 1868
10 NCAC 14V .4301	12:19 NCR 1762									13:22 NCR 1868
10 NCAC 14V .4302	12:19 NCR 1762									13:22 NCR 1868
10 NCAC 14V .4303	12:19 NCR 1762									13:22 NCR 1868
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10 NCAC 45G .0410	13:23 NCR 1947									13:22 NCR 1868
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10 NCAC 14V .7201	13:05 NCR 436		Temp Expired 03/28/98		13:13 NCR 1042					
10 NCAC 14V .7202	13:05 NCR 436				13:13 NCR 1042					
10 NCAC 14V .7203	13:05 NCR 436				13:13 NCR 1042					
10 NCAC 14V .7204	13:05 NCR 436				13:13 NCR 1042					
10 NCAC 14V .7205	13:05 NCR 436				13:13 NCR 1042					
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10 NCAC 41E .0401	12:11 NCR 919				13:05 NCR 438					
10 NCAC 41E .0403	12:11 NCR 919				13:11 NCR 857					13:24 NCR 2037
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10 NCAC 41E .0404	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0405	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0406	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0501	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0502	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0503	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0504	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0505	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0506	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0507	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0508	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0509	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0510	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0511	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0512	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0513	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0514	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0515	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0516	12/11 NCR 919		13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037		
10 NCAC 41E .0517	12/11 NCR 919		13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037		
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10 NCAC 41E .0518	12:11 NCR 919				13:05 NCR 438	*				13:24 NCR 2037
10 NCAC 41E .0601	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		
10 NCAC 41E .0602	12:11 NCR 919				13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41E .0603	12:11 NCR 919				13:11 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41E .0604	12:11 NCR 919				13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41E .0605	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41E .0606	12:11 NCR 919				13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41E .0701	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41E .0702	12:11 NCR 919				13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41E .0703	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41E .0704	12:11 NCR 919				13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0501	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0502	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0504	12:11 NCR 919				13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0505	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0506	12:11 NCR 919				13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0507	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0508	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0509	12:11 NCR 919				13:05 NCR 438	*	Approve	02/18/99		13:24 NCR 2037
10 NCAC 41G .0510	12:11 NCR 919				13:11 NCR 857	*	Approve	02/18/99		13:24 NCR 2037
					13:11 NCR 857	*	Approve	02/18/99		

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10 NCAC 41G .0511	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		
10 NCAC 41G .0512	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0513	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0601	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0602	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0603	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0604	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0605	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0606	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0701	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0702	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0703	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0704	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0705	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0706	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0707	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0708	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0801	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0802	12.11 NCR 919				13.11 NCR 857	*	Approve	02/18/99		13.24 NCR 2037
10 NCAC 41G .0803	12.11 NCR 919				13.05 NCR .438	*	Approve	02/18/99		13.24 NCR 2037
					13.11 NCR 857	*	Approve	02/18/99		

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10 NCAC 41G .0804	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .0805	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .0806	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .0807	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .0808	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .0809	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .0902	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .1001	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .1002	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .1004	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .1005	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .1006	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .1007	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .1008	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .1009	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .1010	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .1011	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .1012	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .1013	12.11 NCR 919				13:05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .1101	12.11 NCR 919				13:11 NCR 857	*			Approve	02/18/99

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					Action	Date				
10 NCAC 41G.1102	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1103	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1104	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1105	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1106	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1202	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1203	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1204	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1205	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1206	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1207	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1208	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1301	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1302	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1304	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1305	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1306	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G.1307	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
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10 NCAC 41G .1308	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41G .1309	12.11 NCR 919				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41G .1402	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41I .0100	10.17 NCR 2228				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41I .0102	10.17 NCR 2228				10.21 NCR 2687	*				
10 NCAC 41R .0101	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41R .0102	12.11 NCR 919				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41R .0103	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41R .0104	12.11 NCR 919				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41R .0105	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41R .0106	12.11 NCR 919				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41R .0107	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41S .0101	12.11 NCR 919				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41S .0102	12.11 NCR 919				13.11 NCR 857	*			Object	02/18/99
10 NCAC 41S .0201	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41S .0202	12.11 NCR 919				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41S .0203	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41S .0204	12.11 NCR 919				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41S .0301	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99
10 NCAC 41S .0302	12.11 NCR 919				13.11 NCR 857	*			Approve	02/18/99
10 NCAC 41S .0303	12.11 NCR 919				13.05 NCR 438	*			Approve	02/18/99

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10 NCAC 41S .0304	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0305	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0306	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0307	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0401	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0402	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0403	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0404	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0405	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0406	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0407	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0501	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0503	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0504	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0505	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0506	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0602	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
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10 NCAC 41S .0604	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0605	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0606	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0607	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0608	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0609	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0610	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0611	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0612	12:11 NCR 919				*		Approve	02/18/99	*	13:24 NCR 2037
10 NCAC 41S .0613	12:11 NCR 919				*		Approve	02/18/99	*	13:24 NCR 2037
10 NCAC 41S .0613			14:04 NCR 321							
10 NCAC 41S .0614	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0615	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0701	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0702	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0703	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0704	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0705	12:11 NCR 919				*		Approve	02/18/99	*	13:24 NCR 2037
10 NCAC 41S .0706	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037
10 NCAC 41S .0707	12:11 NCR 919				*		Approve	02/18/99		13:24 NCR 2037

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10 NCAC 41S .0708	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0709	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0710	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0711	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0712	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41S .0713	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0101	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0102	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0103	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0104	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0105	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0106	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0201	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0202	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0203	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0204	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0205	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				13:24 NCR 2037
10 NCAC 41T .0206	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				13:24 NCR 2037
<b>Vocational Rehabilitation Services</b>										
10 NCAC 20B .0224			13:17 NCR 1379				14:05 NCR 392	*		
10 NCAC 20B .0228			13:17 NCR 1379				14:05 NCR 392	*		

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**HOUSING FINANCE AGENCY**

24 NCAC 014 .0103 13:22 NCR 1822

\*

**INSURANCE**

11 NCAC 06 12:09 NCR 744  
 11 NCAC 12 12:09 NCR 744  
 11 NCAC 12 .1702 14:02 NCR 78  
 11 NCAC 13 12:09 NCR 744  
 11 NCAC 13 .0514 14:02 NCR 78  
 11 NCAC 13 .0518 14:02 NCR 78  
 11 NCAC 14 12:09 NCR 744  
 11 NCAC 15 12:09 NCR 744  
 11 NCAC 16 12:09 NCR 744  
 11 NCAC 17 12:09 NCR 744  
 11 NCAC 20 12:09 NCR 744  
 11 NCAC 21 12:09 NCR 744

**JUSTICE**

**Criminal Justice Education and Training Standards Commission**

12 NCAC 09B .0107 13:14 NCR 1110 13:19 NCR 1611 \* Ext. Review **06/17/99**  
 12 NCAC 09B .0109 13:14 NCR 1110 13:19 NCR 1611 \* Return to Agency **07/15/99**  
 12 NCAC 09B .0110 13:14 NCR 1110 13:19 NCR 1611 \* Approve **06/17/99** \*  
 12 NCAC 09B .0112 13:14 NCR 1110 13:19 NCR 1611 \* Approve **06/17/99** \*  
 12 NCAC 09B .0113 13:14 NCR 1110 13:19 NCR 1611 \* Approve **06/17/99** \*  
 12 NCAC 09B .0115 13:14 NCR 1110 13:19 NCR 1611 \* Approve **06/17/99** \*  
 12 NCAC 09B .0201 13:14 NCR 1110 13:19 NCR 1611 \* Object **06/17/99**  
 12 NCAC 09B .0202 13:14 NCR 1110 13:19 NCR 1611 \* Object **06/17/99**  
 12 NCAC 09B .0203 13:14 NCR 1110 13:19 NCR 1611 \* Object **06/17/99**

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12 NCAC 09B .0204	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agency	07/15/99				
12 NCAC 09B .0205	13:14 NCR 1110		13:19 NCR 1611	S/L	Object	06/17/99				
12 NCAC 09B .0206	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agency	07/15/99				
12 NCAC 09B .0207	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
12 NCAC 09B .0208	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agency	07/15/99				
12 NCAC 09B .0226	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0227	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0228	13:14 NCR 1110		13:19 NCR 1611	S	Object	06/17/99				
12 NCAC 09B .0232	13:14 NCR 1110		13:19 NCR 1611	S	Returned to Agency	06/17/99				
12 NCAC 09B .0233	13:14 NCR 1110		13:19 NCR 1611	S	Object	06/17/99				
12 NCAC 09B .0302	13:14 NCR 1110		13:19 NCR 1611	*	Returned to Agency	06/17/99				
12 NCAC 09B .0303	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
12 NCAC 09B .0304	13:14 NCR 1110		13:19 NCR 1611	*	Returned to Agency	06/17/99				
12 NCAC 09B .0305	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0312	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0403	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0404	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0405	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0406	13:14 NCR 1110		13:19 NCR 1611	S	Approve	06/17/99				
12 NCAC 09B .0407	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0414	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0415	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09C .0211	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				

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12 NCAC 09C .0212	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
12 NCAC 09C .0213	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agcy	07/15/99				
12 NCAC 09C .0403	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
12 NCAC 09E .0107	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agcy	07/15/99				
					Approve	06/17/99				14:05 NCR 402
					Approve	06/17/99				14:05 NCR 402
<b>Private Protective Services Board</b>										
12 NCAC 07D .0800	13:14 NCR 1110		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1201	11:10 NCR 818		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1202	11:10 NCR 818		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1301	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1302	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1303	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1304	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1305	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1306	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1307	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
<b>Sheriffs' Education and Training Standards Commission</b>										
12 NCAC 10B .0103	13:14 NCR 1110		13:19 NCR 1637	S	Object	06/17/99				
12 NCAC 10B .0502	13:14 NCR 1110		13:19 NCR 1637	L	Return to Agcy	07/15/99				
12 NCAC 10B .0505	13:14 NCR 1110		13:19 NCR 1637	*	Object	06/17/99				
12 NCAC 10B .0506	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99				14:05 NCR 402
12 NCAC 10B .0507	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99				14:05 NCR 402
12 NCAC 10B .0508	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99				14:05 NCR 402
12 NCAC 10B .0509	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99				14:05 NCR 402
12 NCAC 10B .0601	13:14 NCR 1110		13:19 NCR 1637	S/L	Object	06/17/99				
12 NCAC 10B .0606	13:14 NCR 1110									
12 NCAC 10B .0607	13:14 NCR 1110									

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12 NCAC 10B .0703	13.14 NCR 1110		13.19 NCR 1637	S/L	Approve	06/17/99	*			14.05 NCR 402
12 NCAC 10B .0908	13.14 NCR 1110		13.19 NCR 1637	S/L	Approve	06/17/99				14.05 NCR 402
12 NCAC 10B 1002	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99				14.05 NCR 402
12 NCAC 10B 1401	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99				14.05 NCR 402
12 NCAC 10B 1402	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99	*			14.05 NCR 402
12 NCAC 10B 1403	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99				14.05 NCR 402
12 NCAC 10B 1404	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99	*			14.05 NCR 402
12 NCAC 10B 1405	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99	*			14.05 NCR 402
12 NCAC 10B 1406	13.14 NCR 1110		13.19 NCR 1637	S	Approve	06/17/99				14.05 NCR 402
<b>LABOR</b>										
<b>Boiler and Pressure Vessel Division</b>										
13 NCAC 13 .0406	13.03 NCR 269				13.08 NCR 685		*			
13 NCAC 13 .0409	13.03 NCR 269				13.08 NCR 685		*			
<b>Occupational Safety and Health</b>										
13 NCAC 07A .0401	14.02 NCR 78									
13 NCAC 07A .0900	11.11 NCR 881									
13 NCAC 07F	11.03 NCR 106									
13 NCAC 07F 0101	14.02 NCR 78									
13 NCAC 07F 0201	11.03 NCR 106									
13 NCAC 07F 0201	14.02 NCR 78									
13 NCAC 07F 0301	11.03 NCR 106									
13 NCAC 07F 0410	14.02 NCR 78									
13 NCAC 07F .0601	13.02 NCR 176									
13 NCAC 07F .0602	13.02 NCR 176									
13 NCAC 07F .0603	13.02 NCR 176									
13 NCAC 07F .0604	13.02 NCR 176									
13 NCAC 07F .0605	13.02 NCR 176									

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				Fiscal Note	Action				
<b>Wage and Hour Division</b>									
13 NCAC 07F .0606	13:02 NCR 176			13:21 NCR 1786		S/L			
13 NCAC 12 .0501	13:03 NCR 268								
13 NCAC 12 .0801	13:03 NCR 268								
13 NCAC 12 .0802	13:03 NCR 268								
<b>LANDSCAPE ARCHITECTS, BOARD OF</b>									
21 NCAC 26 .0101	14:05 NCR 373								
21 NCAC 26 .0104		12:08 NCR 730							
21 NCAC 26 .0104	14:05 NCR 373								
21 NCAC 26 .0105		12:08 NCR 730							
21 NCAC 26 .0105	14:05 NCR 373								
21 NCAC 26 .0302		12:08 NCR 730							
21 NCAC 26 .0506		12:08 NCR 730							
21 NCAC 26 .0507		12:08 NCR 730							
21 NCAC 26 .0508		12:08 NCR 730							
21 NCAC 26 .0509		12:08 NCR 730							
<b>MEDICAL BOARD</b>									
21 NCAC 32	13:06 NCR 538								
21 NCAC 32R	11:18 NCR 1469								
21 NCAC 33B	12:04 NCR 245								
21 NCAC 320 .0118	11:18 NCR 1369						13:08 NCR 709		*
21 NCAC 320 .0119	11:18 NCR 1369						13:08 NCR 709		*
21 NCAC 320 .0120	11:18 NCR 1369						13:08 NCR 709		*
21 NCAC 320 .0121	11:18 NCR 1369						13:08 NCR 709		*
21 NCAC 32R .0101	14:03 NCR 127								
21 NCAC 32R .0102	14:03 NCR 127								
21 NCAC 32R .0103	14:03 NCR 127								

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21 NCAC 32R .0104 14:03 NCR 127

**MORTUARY SCIENCE, BOARD OF**

21 NCAC 34C 12:09 NCR 745

**MUNICIPAL INCORPORATIONS PETITION**

**NURSING, BOARD OF**

21 NCAC 36 .0243 13:22 NCR 1821

**NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR**

21 NCAC 37D .0202 14:05 NCR 398

21 NCAC 37E .0102 14:05 NCR 398

21 NCAC 37F .0102 14:05 NCR 398

21 NCAC 37G .0102 14:05 NCR 398

21 NCAC 37G .0201 14:05 NCR 398

21 NCAC 37H .0102 14:05 NCR 398

**PHARMACY, BOARD OF**

21 NCAC 46 .1317 13:22 NCR 1821

21 NCAC 46 .1413 13:22 NCR 1821

21 NCAC 46 .1414 13:22 NCR 1821

21 NCAC 46 .1601 13:22 NCR 1821

21 NCAC 46 .1608 12:24 NCR 2203

21 NCAC 46 .1609 12:24 NCR 2203

21 NCAC 46 .1804 12:03 NCR 168

12:07 NCR 527

12:09 NCR 797

13:02 NCR 246

13:22 NCR 1821

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14:04 NCR 330

14:05

14:06

14:07

14:08

03/20/98

12/17/98

02/18/99

04/15/99

05/20/99

State Budget

Object

Object

Approve

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21 NCAC 46 .1815 13:11 NCR 910 13:22 NCR 1848 \*

21 NCAC 46 .2103 12:03 NCR 168 13:24 NCR 2016 \*

21 NCAC 46 .2301 12:03 NCR 168 12:07 NCR 527 \*

21 NCAC 46 .2306 12:24 NCR 2203 12:09 NCR 797 \*

21 NCAC 46 .2506 12:24 NCR 2203 12:09 NCR 797 \*

21 NCAC 50 .0106 12:07 NCR 509 13:04 NCR 419 Object 11/19/98

21 NCAC 50 .0202 12:07 NCR 509 13:04 NCR 419 Object 12/17/98

**PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF**

21 NCAC 50 .0506 12:07 NCR 509 12:07 NCR 557 Temp Expired 06/28/98

21 NCAC 50 .1201 12:07 NCR 509

21 NCAC 50 .1205 12:07 NCR 509

21 NCAC 50 .1206 12:07 NCR 509

21 NCAC 50 .1210 12:07 NCR 509

21 NCAC 50 .1212 12:07 NCR 509

21 NCAC 50 .1302 12:07 NCR 509

**PSYCHOLOGY BOARD**

21 NCAC 54 .1611 12:05 NCR 338 13:13 NCR 1050 \*

21 NCAC 54 .1612 12:05 NCR 338

21 NCAC 54 .1613 12:05 NCR 338

21 NCAC 54 .1901 13:21 NCR 1784

21 NCAC 54 .2006 12:05 NCR 338

21 NCAC 54 .2010 12:05 NCR 338

21 NCAC 54 .2104 12:05 NCR 338

21 NCAC 54 .2301 12:05 NCR 338

21 NCAC 54 .2302 12:05 NCR 338

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21 NCAC 54 .2804 12:05 NCR 338

21 NCAC 54 .2805 12:05 NCR 338

21 NCAC 54 .2806 12:05 NCR 338

21 NCAC 54 .2807 12:05 NCR 338

### PUBLIC EDUCATION

16 NCAC 06B .0108 13:13 NCR 106!

16 NCAC 06C .0102 13:18 NCR 1503

16 NCAC 06C .0103 13:18 NCR 1503

16 NCAC 06C .0202 13:18 NCR 1503

16 NCAC 06C .0205 13:18 NCR 1503

16 NCAC 06C .0205 13:24 NCR 2008

16 NCAC 06C .0206 13:18 NCR 1503

16 NCAC 06C .0207 13:18 NCR 1503

16 NCAC 06C .0301 13:18 NCR 1503

16 NCAC 06C .0302 13:18 NCR 1503

16 NCAC 06C .0303 13:18 NCR 1503

16 NCAC 06C .0304 13:18 NCR 1503

16 NCAC 06C .0305 13:18 NCR 1503

16 NCAC 06C .0306 13:18 NCR 1503

16 NCAC 06C .0307 13:18 NCR 1503

16 NCAC 06C .0308 13:18 NCR 1503

16 NCAC 06C .0309 13:18 NCR 1503

16 NCAC 06C .0311 13:18 NCR 1503

16 NCAC 06C .0312 13:18 NCR 1503

16 NCAC 06C .0313 13:18 NCR 1503

16 NCAC 06C .0501 13:18 NCR 1503

16 NCAC 06D .0103 12:22 NCR 2010

Temp Expired 02/09/99 13:18 NCR 1503

Approved 07/15/99 \*

Return to Agcy 07/15/99

Return to Agcy 07/15/99

Object 07/15/99

Approve 07/15/99 \*

Return to Agcy 07/15/99

Return to Agcy 07/15/99

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16 NCAC 06D .0103			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06D .0210			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06D .0301			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06D .0302			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06D .0303			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06D .0304			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06D .0305			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06D .0501			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06D .0502			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06D .0503			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06D .0504			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06D .0505			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06D .0506			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06D .0507			13:24 NCR 2008	S	Approve	07/15/99				
16 NCAC 06E .0202			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06E .0301			13:05 NCR 523							
16 NCAC 06E .0401			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06G .0202			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06G .0308			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06G .0309			13:18 NCR 1503	*	Approve	07/15/99				
16 NCAC 06G .0311			12:22 NCR 2010 Temp Expired 02/09/99	13:18 NCR 1503	*	Approve	07/15/99			
16 NCAC 06G .0502			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0101			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0103			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0105			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0106			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0107			13:18 NCR 1503	*	Return to Agency	07/15/99				

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<b>REVENUE</b>										
16 NCAC 06H 0108					13:18 NCR 1503	*			Return to Agency 07/15/99	
16 NCAC 06H 0109					13:18 NCR 1503	*			Return to Agency 07/15/99	
16 NCAC 06H .0110					13:18 NCR 1503	*			Return to Agency 07/15/99	
17 NCAC 04B .0102	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0104	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0105	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0106	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0107	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0401	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0302	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0306	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0308	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0309	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0310	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0311	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0312	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0403	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .0405	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .2902	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .4301	N/A				13:08 NCR 690				N/A	
17 NCAC 04B .4302	N/A				13:08 NCR 690				N/A	
17 NCAC 04E .0102	N/A				13:08 NCR 690				N/A	
17 NCAC 04E .0103	N/A				13:08 NCR 690				N/A	
17 NCAC 04E .0201	N/A				13:08 NCR 690				N/A	
17 NCAC 04E .0202	N/A				13:08 NCR 690				N/A	
17 NCAC 04E .0203	N/A				13:08 NCR 690				N/A	

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17 NCAC 04E .0302	N/A				13:08 NCR 690			N/A		
17 NCAC 04E .0703	N/A				13:08 NCR 690			N/A		
17 NCAC 04F .0005	N/A				13:08 NCR 690			N/A		
17 NCAC 05C .0102					12:14 NCR 1285	*				
17 NCAC 05C .0703					12:14 NCR 1285	*				
17 NCAC 06B .0105	N/A				13:08 NCR 694					
17 NCAC 06B .0118	N/A				13:09 NCR 762			N/A		
17 NCAC 07B .0124	N/A				13:08 NCR 695			N/A		
17 NCAC 07B .0125	N/A				13:08 NCR 695			N/A		
17 NCAC 07B .2101	N/A				13:09 NCR 767			N/A		
17 NCAC 09K .0601	N/A				13:08 NCR 695			N/A		
<b>SECRETARY OF STATE</b>										
18 NCAC 06 .1212					13:44 NCR 1151					
18 NCAC 06 .1304					13:14 NCR 1151					
18 NCAC 06 .1502					13:14 NCR 1151					
18 NCAC 06 .1802					12:07 NCR 534					
18 NCAC 06 .1803					12:14 NCR 1312	*				
18 NCAC 10 .0101					Temp Expired 06/28/98					
18 NCAC 10 .0201					12:07 NCR 534					
18 NCAC 10 .0301					12:14 NCR 1342	*				
18 NCAC 10 .0301					Temp Expired 06/28/98					
18 NCAC 10 .0302					13:14 NCR 1153					
18 NCAC 10 .0303					13:18 NCR 1556					
18 NCAC 10 .0304					13:14 NCR 1153					
18 NCAC 10 .0305					13:18 NCR 1556					
18 NCAC 10 .0306					13:14 NCR 1153					
18 NCAC 10 .0307					13:18 NCR 1556					

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18 NCAC 10 .0401	13:09 NCR 759	13:14 NCR 1153								
18 NCAC 10 .0402	13:09 NCR 759	13:18 NCR 1556								
18 NCAC 10 .0501	13:09 NCR 759	13:14 NCR 1153								
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**SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS**

**21 NCAC 64 .0303 11:23 NCR 1780**

**STATE PERSONNEL COMMISSION**

25 NCAC 01B .0354	13:05 NCR 436	13:09 NCR 773	*
25 NCAC 01B .0414	13:18 NCR 1560	13:22 NCR 1850	*
25 NCAC 01B .0434	13:18 NCR 1560	13:22 NCR 1850	*
25 NCAC 01B .0437	13:05 NCR 436	13:09 NCR 773	*
25 NCAC 01C .0214	13:18 NCR 1560	13:22 NCR 1850	*
25 NCAC 01D .2516	11:13 NCR 1062	11:19 NCR 1429	*
	Temp Expired		
25 NCAC 01D .2517	12:09 NCR 835	Temp Expired 07/31/98	
25 NCAC 01H .0602	13:05 NCR 436	13:09 NCR 773	*
25 NCAC 01H .0605	13:05 NCR 436	13:09 NCR 773	*
25 NCAC 01H .0606	13:05 NCR 436	13:09 NCR 773	*
25 NCAC 01J .0503	13:05 NCR 436	13:09 NCR 773	*
25 NCAC 01J .0506	13:18 NCR 1560	13:22 NCR 1850	*
25 NCAC 01J .0512	13:05 NCR 436	13:09 NCR 773	*
25 NCAC 01J .0603	13:05 NCR 436	13:09 NCR 773	*
25 NCAC 01J .0603	13:18 NCR 1560	13:22 NCR 1850	*

**TRANSPORTATION**  
**Highways, Division of**

19A NCAC 02D .0415	13:08 NCR 626	
19A NCAC 02E .0201	14:03 NCR 126	

04/15/99

Approve

14:02 NCR 84

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19A NCAC 02E.0203		14.03	NCR 126							
19A NCAC 02E.0206		14.03	NCR 126							
19A NCAC 02E.0207		14.03	NCR 126							
19A NCAC 02E.0208		14.03	NCR 126							
19A NCAC 02E.0209		14.03	NCR 126							
19A NCAC 02E.0210		14.03	NCR 126							
19A NCAC 02E.0211		14.03	NCR 126							
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19A NCAC 02E.0213		14.03	NCR 126							
19A NCAC 02E.0214		14.03	NCR 126							
19A NCAC 02E.0215		14.03	NCR 126							
19A NCAC 02E.0221		13.04	NCR 361		13.10	NCR 811	*		Approve	14.01 NCR 48
19A NCAC 02E.0222		13.04	NCR 361		13.10	NCR 811	*		Approve	14.01 NCR 48
19A NCAC 02E.0224		14.03	NCR 126							
19A NCAC 02E.0225		14.03	NCR 126							
19A NCAC 02E.0602		14.03	NCR 126							
19A NCAC 02E.0603		14.03	NCR 126							
19A NCAC 02E.0604		14.03	NCR 126							
<b>Motor Vehicles, Division of</b>										
19A NCAC 031.0100		11.19	NCR 1413							
19A NCAC 031.0200		11.19	NCR 1413							
19A NCAC 031.0207		13.16	NCR 1258		13.22	NCR 1843	*		Approve	07/15/99
19A NCAC 031.0300		11.19	NCR 1413							
19A NCAC 031.0301		13.16	NCR 1258		13.22	NCR 1843	*		Approve	07/15/99
19A NCAC 031.0302		13.16	NCR 1258		13.22	NCR 1843	*		Approve	07/15/99
19A NCAC 031.0307		13.16	NCR 1258		13.22	NCR 1843	*		Object	<b>07/15/99</b>

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19A NCAC 031.0400	11:19 NCR 1413									
19A NCAC 031.0401	13:16 NCR 1258		13:22 NCR 1843	*			Approve		07/15/99	
19A NCAC 031.0402	13:16 NCR 1258		13:22 NCR 1843	*			<b>Object</b>		<b>07/15/99</b>	
19A NCAC 031.0500	11:19 NCR 1413									
19A NCAC 031.0501	13:16 NCR 1258		13:22 NCR 1843	*			Approve		07/15/99	
19A NCAC 031.0600	11:19 NCR 1413									
19A NCAC 031.0601	13:16 NCR 1258		13:22 NCR 1843	*			Approve		07/15/99	
19A NCAC 031.0700	11:19 NCR 1413									
19A NCAC 031.0701	13:16 NCR 1258		13:22 NCR 1843	*			Approve		07/15/99	
19A NCAC 031.0800	11:19 NCR 1413									
19A NCAC 031.0804	13:16 NCR 1258		13:22 NCR 1843	*			<b>Object</b>		<b>07/15/99</b>	

**VETERINARY MEDICAL BOARD**

21 NCAC 66.0207	12:23 NCR 2089
21 NCAC 66.0208	12:23 NCR 2089



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